



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant
DATE: June 20, 2006
RE: Rieth Riley Construction Company, Inc. / 127-22570-05267
FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval - Effective Immediately

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

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

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

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

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

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

Enclosures
FNPER.dot 1/10/05



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
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Thomas W. Easterly
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100 North Senate Avenue
Indianapolis, Indiana 46204-2251
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Mr. Edward J. Clements
Rieth-Riley Construction Company, Inc.
P.O. Box 477
Goshen, IN 46527-0477

June 20, 2006

Re: 127-22570-05267
First Significant Revision to
FESOP 063-20330-05267

Dear Mr. Clements:

Rieth-Riley Construction Company, Inc. was issued a permit on May 10, 2005 for a portable hot mix asphalt manufacturing operation. A letter requesting changes to this permit was received on January 26, 2006. Pursuant to the provisions of 326 IAC 2-8-11.1 a significant permit revision to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of relocating the portable source to a new location at 2552 Industrial Drive, Valparaiso, Indiana which is located in Porter County. Since Porter County is designated as severe nonattainment for the 1-hour ozone standard, VOC emissions from the entire source must be limited to less than 25 tons per year to render the requirements of 326 IAC 2-3 (Emission Offset) not applicable. The amount of VOC containing diluent used in the production of cold mix cutback asphalt has been limited so that VOC emissions from cold mix cutback asphalt do not exceed 19.9 tons per year. This will limit source-wide VOC emissions to less than 25 tons per year. Additionally, the two (2) diesel-fired generators have been removed from the FESOP as requested since they will not be used at the new location.

Pursuant to 326 IAC 2-8-11.1, this permit shall be revised by incorporating the significant permit revision into the permit. All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this revision and the following revised permit 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 Trish Earls, c/o OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204-2251, or call at (973) 575-2555, ext. 3219 or dial (800) 451-6027, and ask for extension 3-6878.

Sincerely,
Original signed by

Nisha Sizemore, Chief
Permits Branch
Office of Air Quality

Attachments
TE/EVP

cc: File – Porter County
U.S. EPA, Region V
Porter County Health Department
IDEM Northwest Regional Office
Air Compliance Section Inspector – Michael Hall
Compliance Data Section
Administrative and Development
Technical Support and Modeling



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**NEW SOURCE CONSTRUCTION and
FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
OFFICE OF AIR QUALITY**

**Rieth-Riley Construction Company, Inc.
Portable**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provision of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; and denial of a permit renewal application. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

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 MSOP under 326 IAC 2-6.1.

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. This permit also addresses new source review requirements and is intended to fulfill the new source review procedures and permit revision requirements pursuant to 326 IAC 2-8-11.1, applicable to those conditions.

Operation Permit No.: F063-20330-05267	
Original signed by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: May 10, 2005 Expiration Date: May 10, 2010
First Administrative Amendment No. 063-22428-05267, issued on January 10, 2006.	
First Significant Permit Revision No. 127-22570-05267	Pages affected: Entire permit
Original signed by: Nisha Sizemore, Chief Permits Branch, Office of Air Quality	Issuance Date: June 20, 2006 Expiration Date: May 10, 2010

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SECTION A

SOURCE SUMMARY

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

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

The Permittee owns and operates a portable hot mix asphalt manufacturing source.

Authorized individual:	Edward J. Clements, Environmental Engineer
Source Address:	Portable
Mailing Address:	P.O. Box 477, Goshen, Indiana 46527
General Source Phone:	574 - 875 - 5183 x 20226
SIC Code:	2951
Source Location Status:	Porter County Nonattainment for 8-hour ozone, and PM _{2.5} Severe Nonattainment for 1-hour ozone Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD, Emission Offset, and Nonattainment NSR 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 portable source consists of the following emission units and pollution control devices:

- (a) One (1) drum mixer, identified as 2, equipped with a baghouse for particulate control, exhausting to Stack SV1, capacity: 450 tons per hour.
- (b) One (1) dryer burner, identified as 3, firing re-refined oil, natural gas, No. 2 fuel oil, No. 4 fuel oil, propane gas or butane gas, exhausting to Stack SV1, rated at 150 million British thermal units per hour.
- (c) Two (2) hot oil heaters, identified as 14A and 14B, firing No. 2 fuel oil or propane gas, exhausting to Stacks SV2 and SV3, capacity: 2.15 million British thermal units per hour, each.
- (d) One (1) tank, identified as 13A, storing liquid asphalt, exhausting to Stack SV4, capacity: 30,000 gallons.
- (e) One (1) tank, identified as 13B, storing liquid asphalt, exhausting to Stack SV5, capacity: 25,000 gallons.
- (f) One (1) tank, identified as 13C, storing liquid asphalt, exhausting to Stack SV6, capacity: 15,000 gallons.
- (g) One (1) tank, identified as 13D, storing liquid asphalt, exhausting to Stack SV7, capacity: 10,000 gallons.
- (h) One (1) tank, identified as 11A, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV8, capacity: 10,000 gallons.

- (i) One (1) tank, identified as 11B, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV9, capacity: 10,000 gallons.
- (j) One (1) tank, identified as 12A, storing No. 2 fuel oil, exhausting to Stack SV10, capacity: 420 gallons.
- (k) One (1) tank, identified as 12B, storing No. 2 fuel oil, exhausting to Stack SV11, capacity: 420 gallons.
- (l) One (1) tank, identified as 12C, storing No. 2 fuel oil, exhausting to Stack SV12, capacity: 8,000 gallons.
- (m) One (1) portable recycled asphalt crusher, identified as 10, capacity: 225 tons of asphalt per hour.
- (n) Cold-mix cutback asphalt production.

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

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

The following VOC and HAP storage containers:

- (1) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
- (2) Vessels storing lubricating oil, hydraulic oils, machining oils, and machining fluids.

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

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

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2, and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5] [IC 13-15-3-6(a)]

- (a) This permit, F063-20330-05267, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal 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.

B.3 Enforceability [326 IAC 2-8-6]

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

B.4 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.5 Severability [326 IAC 2-8-4(4)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1 when furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.9 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.10 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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than April 15 of each year to:

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
 - (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.11 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 prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, 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.

If due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

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

The PMP extension notification does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.12 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 and IDEM Northwest Regional Office, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone No.: 317-233-0178 (ask for Compliance Section)
Facsimile No.: 317-233-6865
Telephone No.: 1-888-209-8892 (IDEM Northwest Regional Office) or,
Telephone No.: 219-757-0265 (IDEM Northwest Regional Office)
Facsimile No.: 219-757-0267

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

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

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

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

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

The notification which shall be submitted by the Permittee does not require the certification by the "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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
- (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

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

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

- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.13 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

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

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.14 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

- (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.15 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as needed to process the application.

B.16 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

Any such application shall be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.17 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

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

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) **Emission Trades [326 IAC 2-8-15(c)]**
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (c) **Alternative Operating Scenarios [326 IAC 2-8-15(d)]**
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.18 Source Modification 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.19 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.20 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

The application which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.21 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.22 Advanced Source Modification Approval [326 IAC 2-8-4(11)] [326 IAC 2-1.1-9]

- (a) The requirements to obtain a permit revision under 326 IAC 2-8-11.1 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.
- (b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction work is suspended for a continuous period of one (1) year or more.

B.23 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]

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

B.24 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.25 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to F063-20330-05267 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit volatile organic compounds (VOCs) from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-3 (Emission Offset) not applicable;
- (2) The potential to emit any regulated pollutant, except particulate matter (PM) and volatile organic compounds (VOCs), 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 (PSD) and 326 IAC 2-3 (Emission Offset) not applicable;
- (3) 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
- (4) 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) The potential to emit particulate matter (PM) from the entire source, except paved and unpaved roads, shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

(a) When this portable source is located in the areas listed in 326 IAC 5-1-1(c) the following limits shall apply:

- (1) 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.

- (2) 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.
- (b) When this portable source is not located in the areas listed in 326 IAC 5-1-1(c) the following limits shall apply:
 - (1) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
 - (2) 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 November 1, 2004. The plan is included as Attachment A. All roads and other traffic areas must be paved.

C.7 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

- (2) If there is a change in the following:
- (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

C.9 Performance Testing [326 IAC 3-6]

-
- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.10 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

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

C.11 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

in writing, prior to the end of the initial ninety (90) day compliance schedule with full justification of the reasons for inability to meet this date.

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).

Unless otherwise specified in the approval for the new emissions unit, compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.13 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

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

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

C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

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

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

within 180 days from the date on which this source commences operation.

The ERP does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.15 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

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

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

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

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

- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.18 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

- (a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit an emission statement by July 1 following a calendar year when the source emits oxides of nitrogen into the ambient air equal to or greater than twenty – five (25) tons. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

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

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

C.19 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.20 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (a) The 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 IAC 2-1.1-1(1).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) The first report covered the period commencing on the date of issuance of the original FESOP and ended on the last day of the reporting period. All subsequent reporting periods shall be based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

Portable Source Requirement

C.21 Relocation of Portable Sources [326 IAC 2-14-4]

- (a) This permit is approved for operation in all areas of Indiana.
- (b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:
 - (1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1
 - (2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8

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

- (c) A "Relocation Site Approval" letter shall be obtained prior to relocating.
- (d) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:
 - (1) Madison County - (Anderson Office of Air Management)
 - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
 - (3) City of Gary - (Gary Department of Environmental Affairs)
 - (4) City of Hammond - (Hammond Department of Environmental Management)
 - (5) Marion County - (Indianapolis Office of Environmental Services)
 - (6) Vigo County - (Vigo County Air Pollution Control)

- (e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

Stratospheric Ozone Protection

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

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

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

SECTION D.1

FACILITY OPERATION CONDITIONS

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

- (a) One (1) drum mixer, identified as 2, equipped with a baghouse for particulate control, exhausting to Stack SV1, capacity: 450 tons per hour.
- (b) One (1) dryer burner, identified as 3, firing re-refined oil, natural gas, No. 2 fuel oil, No. 4 fuel oil, propane gas or butane gas, exhausting to Stack SV1, rated at 150 million British thermal units per hour.
- (c) Two (2) hot oil heaters, identified as 14A and 14B, firing No. 2 fuel oil or propane gas, exhausting to Stacks SV2 and SV3, capacity: 2.15 million British thermal units per hour, each.
- (d) One (1) portable recycled asphalt crusher, identified as 10, capacity: 225 tons of asphalt per hour.

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

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

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

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

D.1.2 Particulate Matter (PM and PM10) [326 IAC 2-8-4] [326 IAC 2-2][326 IAC 2-1.1-5]

- (a) PM emissions from the aggregate dryer/mixer shall be limited to 0.428 pounds per ton of asphalt produced.
- (b) Pursuant to 326 IAC 2-8-4, emissions of particulate matter 10 microns or less in diameter (PM10) from the aggregate dryer/mixer shall be limited to 0.1224 pounds per ton of asphalt produced, including both filterable and condensable fractions.
- (c) The source shall produce less than 1,000,000 tons of asphalt per 365 consecutive day period, with compliance determined at the end of each day.

Therefore, the Part 70 rules (326 IAC 2-7) do not apply. Compliance with these limits for PM and PM10 shall also render the requirements of 326 IAC 2-2 (PSD) not applicable for PM and PM10. Compliance with the limit for PM10 shall also render the requirements of 326 IAC 2-1.1-5 (Nonattainment NSR) not applicable for PM2.5.

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

Pursuant to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.90, Subpart I), the Permittee shall not discharge into the atmosphere from any affected facility any gases which:

- (a) Contain particulate matter in excess of 0.04 grains per dry standard cubic foot.
- (b) Exhibit twenty (20%) percent opacity, or greater.

D.1.4 Particulate Matter (PM) [326 IAC 6.5-1]

Pursuant to 326 IAC 6.5-1-2(a) (formerly 326 IAC 6-1-2(a)), the Permittee shall not allow or permit discharge to the atmosphere of any gases from the one (1) drum mixer which contain particulate matter in excess of 0.03 grains per dry standard cubic foot.

D.1.5 Nitrogen Oxides (NO_x) [326 IAC 2-8-4]

- (a) Pursuant to 326 IAC 2-8-4, the input of propane to the dryer/burner shall be limited to less than 10,223,158 gallons per 365 consecutive day period, with compliance determined at the end of each day. Therefore, the Part 70 rules (326 IAC 2-7), do not apply.
- (b) For purposes of determining compliance based on NO_x emissions, each gallon of No. 2 distillate oil shall be equivalent to 1.263 gallons of propane, each gallon of No. 4 distillate oil shall be equivalent to 1.263 gallons of propane, each gallon of butane shall be equivalent to 1.105 gallons of propane, each gallon of re-refined oil shall be equivalent to 0.8421 gallons of propane, and each million cubic feet of natural gas shall be equivalent to 9,047 gallons of propane.

D.1.6 Sulfur Dioxide (SO₂) [326 IAC 2-8-4] [326 IAC 7-1.1-2]

- (a) Pursuant to 326 IAC 2-8-4, the input of re-refined oil to the dryer/burner shall be limited to less than 1,783,178 gallons per 365 consecutive day period, with compliance determined at the end of each day. Therefore, the Part 70 rules (326 IAC 2-7), do not apply.
- (b) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the dryer burner shall not exceed one and six tenths (1.6) pounds per million British thermal units heat input when burning re-refined oil. Compliance with this limit shall be achieved by limiting the sulfur content of the re-refined oil to one percent (1.0%) by weight or less. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average. 326 IAC 7-1.1 and 326 IAC 7-2-1 are not federally enforceable.
- (c) For purposes of determining compliance based on SO₂ emissions, each gallon of No. 2 distillate oil shall be equivalent to 0.6636 gallons of re-refined oil, each gallon of No. 4 distillate oil shall be equivalent to 0.7010 gallons of re-refined oil, each gallon of propane shall be equivalent to 0.000187 gallons of re-refined oil, each gallon of butane shall be equivalent to 0.000187 gallons of re-refined oil, and each million cubic feet of natural gas shall be equivalent to 5.607 gallons of re-refined oil.
- (d) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the dryer burner shall not exceed five tenths (0.5) pounds per million British thermal units heat input when burning No. 2 and No. 4 distillate oils. Compliance with this limit shall be achieved by limiting the sulfur content of the No. 2 and No. 4 distillate oils to five tenth percent (0.5%) by weight or less. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average. 326 IAC 7-1.1 and 326 IAC 7-2-1 are not federally enforceable.

D.1.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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

Compliance Determination Requirements

D.1.8 Testing Requirements [326 IAC 2-8-5(1), (4)] [326 IAC 2-1.1-11]

- (a) During the period within 60 days after initial start-up but no later than 180 days after achieving the maximum production rate for the aggregate dryer, the Permittee shall perform PM and PM10 testing in order to demonstrate compliance with Conditions D.1.2, D.1.3(a) and D.1.4, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. PM10 includes filterable and condensable PM10. Testing shall be conducted in accordance with Section C- Performance Testing. Testing shall be conducted by an independent testing firm, and not an employee of Rieth-Riley.

- (b) During the period within 60 days after initial start-up but no later than 180 days after achieving the maximum production rate for the aggregate dryer, in order to demonstrate compliance with Condition D.1.3(b), the Permittee shall perform opacity testing utilizing 40 CFR Part 60 Appendix A, Method 9. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.9 Sulfur Dioxide Emissions and Sulfur Content

Compliance shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed five-tenths (0.5) pounds per million British thermal unit 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 150 million British thermal units per hour burner, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6. A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

D.1.10 Particulate Matter (PM)

- (a) In order to comply with Conditions D.1.2, D.1.3 and D.1.4, the baghouse for PM and PM₁₀ control shall be in operation and control emissions from the drum mixer/dryer at all times that the drum mixer/dryer is in operation and exhausting to the outside atmosphere.
- (b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

D.1.11 Visible Emissions Notations

- (a) Visible emission notations of the conveyers, material transfer points and the drum mixer/burner stack exhaust shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.12 Parametric Monitoring

The Permittee shall record the pressure drop across the baghouse used in conjunction with the mixer/dryer, at least once per day when the drying/mixing process 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 - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

D.1.13 Broken or Failed Bag Detection

- (a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the emissions unit. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

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

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

D.1.14 Record Keeping Requirements

- (a) To document compliance with Condition D.1.2(c), the Permittee shall maintain records of the amount of asphalt produced per day.
- (b) To document compliance with Conditions D.1.5 and D.1.6, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken daily and shall be complete and sufficient to establish compliance with the NO_x and SO₂ emission limits established in Conditions D.1.5 and D.1.6. For the annual fuel limits, the compliance determination period is the most recent 365 day period. For the sulfur content limit, the compliance determination period is each calendar month.

- (1) Calendar dates covered in the compliance determination period;
- (2) Actual fuel usage of each fuel used since last compliance determination period and equivalent sulfur dioxide and nitrogen oxide emissions;
- (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

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

- (4) Fuel supplier certifications;
 - (5) The name of the fuel supplier; and
 - (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.
- (c) To document compliance with Condition D.1.11, the Permittee shall maintain records of the visible emission notations once per day.
 - (d) To document compliance with Condition D.1.12, the Permittee shall maintain once per day records of the pressure drop during normal operation.
 - (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.15 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.2(c), D.1.5 and D.1.6(a) and (c) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

D.1.16 NSPS Reporting Requirement

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

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

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

SECTION D.2

FACILITY OPERATION CONDITIONS

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

- (e) One (1) tank, identified as 13A, storing liquid asphalt, exhausting to Stack SV4, capacity: 30,000 gallons.
- (f) One (1) tank, identified as 13B, storing liquid asphalt, exhausting to Stack SV5, capacity: 25,000 gallons.
- (g) One (1) tank, identified as 13C, storing liquid asphalt, exhausting to Stack SV6, capacity: 15,000 gallons.
- (h) One (1) tank, identified as 13D, storing liquid asphalt, exhausting to Stack SV7, capacity: 10,000 gallons.
- (i) One (1) tank, identified as 11A, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV8, capacity: 10,000 gallons.
- (j) One (1) tank, identified as 11B, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV9, capacity: 10,000 gallons.
- (k) One (1) tank, identified as 12A, storing No. 2 fuel oil, exhausting to Stack SV10, capacity: 420 gallons.
- (l) One (1) tank, identified as 12B, storing No. 2 fuel oil, exhausting to Stack SV11, capacity: 420 gallons.
- (m) One (1) tank, identified as 12C, storing No. 2 fuel oil, exhausting to Stack SV12, capacity: 8,000 gallons.
- (n) Cold-mix cutback asphalt production.

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

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

D.2.1 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-3]

Pursuant to 326 IAC 2-8-4, the usage of VOC containing diluent added to the liquid binder used to produce cold mix cutback asphalt shall be limited such that VOC emissions from cold mix cutback asphalt production shall be limited to less than 19.9 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. Therefore, the requirements of 326 IAC 2-7 and 326 IAC 2-3 are not applicable.

D.2.2 Volatile Organic Compounds (VOC) [326 IAC 8-5-2]

Pursuant to 326 IAC 8-5-2 (Miscellaneous Operations: asphalt paving), the owner or operator shall not cause or allow the use of asphalt emulsion containing more than seven (7.0) percent oil distillate by volume of emulsion for any paving application except the following purposes:

- (a) penetrating prime coating
- (b) stockpile storage

(c) application during the months of November, December, January, February and March

Compliance Determination Requirements

D.2.3 VOC Emissions

Compliance with the VOC emission limit in condition D.2.1 shall be determined by the following equation:

Emissions of VOC (tons) = Amount of Diluent Used (tons) x Weight % VOC in diluent

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

D.2.4 Record Keeping Requirements

To document compliance with Condition D.2.1, the Permittee shall maintain monthly records of the following values:

- (a) Amount of VOC containing diluent added to the liquid binder used in the production of cold mix cutback asphalt;
- (b) VOC content of the diluent added to the liquid binder; and
- (c) The weight of VOCs emitted for each compliance period.

All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.5 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

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

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: Portable
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP No.: 063-20330-05267

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865**

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

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: Portable
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP No.: 063-20330-05267

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16 |
|---|

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____
Title / Position: _____
Date: _____
Phone: _____

A certification is not required for this report.

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

FESOP Usage Report (Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
 Source Address: Portable
 Mailing Address: P.O. Box 477, Goshen, Indiana 46527
 FESOP No.: 063-20330-05267
 Facility: Dryer/mixer
 Parameter: Gallons of re-refined oil burned in the aggregate dryer (SO2)
 Limit: Less than 1,783,178 gallons of re-refined oil per 365 consecutive day period, with compliance determined at the end of each day, where each gallon of No. 2 distillate oil shall be equivalent to 0.6636 gallons of re-refined oil, each gallon of No. 4 distillate oil shall be equivalent to 0.7010 gallons of re-refined oil, each gallon of propane shall be equivalent to 0.000187 gallons of re-refined oil, each gallon of butane shall be equivalent to 0.000187 gallons of re-refined oil, each million cubic feet of natural gas shall be equivalent to 5.607 gallons of re-refined oil.

Month: _____ Year: _____

Day	Gallons of rerefined oil or equivalent burned (this day)	Gallons of rerefined oil or equivalent burned (last 364 days)	Gallons of rerefined oil or equivalent burned (365 day total)	Day	Gallons of rerefined oil or equivalent burned (this day)	Gallons of rerefined oil or equivalent burned (last 364 days)	Gallons of rerefined oil or equivalent burned (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

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

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.

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

FESOP Usage Report (Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
 Source Address: Portable
 Mailing Address: P.O. Box 477, Goshen, Indiana 46527
 FESOP No.: 063-20330-05267
 Facility: Dryer/mixer
 Parameter: Gallons of propane burned in the aggregate dryer (NO_x)
 Limit: Less than 10,223,158 gallons of propane per 365 consecutive day period, with compliance determined at the end of each day, where each gallon of No. 2 distillate oil shall be equivalent to 1.263 gallons of propane, each gallon of No. 4 distillate oil shall be equivalent to 1.263 gallons of propane, each gallon of butane shall be equivalent to 1.105 gallons of propane, each gallon of re-refined oil shall be equivalent to 0.8421 gallons of propane, each million cubic feet of natural gas shall be equivalent to 9,047 gallons of propane.

Month: _____ Year: _____

Day	Gallons of propane or equivalent burned (this day)	Gallons of propane or equivalent burned (last 364 days)	Gallons of propane or equivalent burned (365 day total)	Day	Gallons of propane or equivalent burned (this day)	Gallons of propane or equivalent burned (last 364 days)	Gallons of propane or equivalent burned (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

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

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.

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

FESOP Usage Report (Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
 Source Address: Portable
 Mailing Address: P.O. Box 477, Goshen, Indiana 46527
 FESOP No.: 063-20330-05267
 Facility: Entire plant
 Parameter: Tons of asphalt produced
 Limit: Less than 1,000,000 tons per 365 consecutive day period, with compliance determined at the end of each day.

Month: _____ Year: _____

Day	Tons of asphalt produced (this day)	Tons of asphalt produced (last 364 days)	Tons of asphalt produced (365 day total)	Day	Tons of asphalt produced (this day)	Tons of asphalt produced (last 364 days)	Tons of asphalt produced (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.
 Deviation has been reported on: _____

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.

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

FESOP Quarterly Report

Source Name: Rieth-Riley Construction Company, Inc.
 Source Address: Portable
 Mailing Address: P.O. Box 477, Goshen, Indiana 46527
 FESOP No.: F 063-20330-05267
 Facility: Cold-mix cutback asphalt production
 Parameter: VOC containing diluent usage, VOC content of diluent, VOC emissions
 Limit: the usage of VOC containing diluent added to the liquid binder used to produce cold mix cutback asphalt shall be limited such that VOC emissions from cold mix cutback asphalt production shall be limited to less than 19.9 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Emissions of VOC (tons) = Amount of Diluent Used (tons) x Weight % VOC in diluent

YEAR: _____

Month	Column 1	Column 2a	Column 2b	Column 3a	Column 3b	Column 2a + Column 3a	Column 2b + Column 3b
	VOC Content of Diluent Used (%)	Diluent Usage This Month (tons)	VOC Emissions This Month (tons)	Diluent Usage Previous 11 Months (tons)	VOC Emissions Previous 11 Months (tons)	12 Month Total Diluent Usage (tons)	12 Month Total VOC Emissions (tons)
Month 1							
Month 2							
Month 3							

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

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: Portable
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP No.: F 063-20330-05267

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked **ΔNo deviations occurred this reporting period@.**

NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Company Name:
Initial Plant Location:
Initial County:
Date Received:
Permit Reviewer:

Rieth-Riley Construction Company, Inc.
2552 Industrial Drive, Valparaiso, IN 46383
Porter
01/26/06
Trish Earls

**** Aggregate dryer burner****

The following calculations determine the amount of emissions created by the combustion of re-refined waste oil
@ 1.00 % sulfur, 1.000 % ash, based on 8,760 hours of use and
US EPA's AP-42, 5th Edition, Section 1.11 - Waste Oil Combustion, Tables 1.11-1, 1.11-2, and 1.11-3.

Criteria Pollutant:	<u>150 MMBtu/hr * 8,760 hr/yr</u>	* Ef (lb/1,000 gal) = (ton/yr)
	140,000 Btu/gal * 2,000 lb/ton	
P M:	66.0 lb/1000 gal =	309.73 ton/yr
P M-10:	57.0 lb/1000 gal =	267.49 ton/yr
S O 2:	107.0 lb/1000 gal =	502.14 ton/yr
N O x:	16.0 lb/1000 gal =	75.09 ton/yr
V O C:	1.00 lb/1000 gal =	4.69 ton/yr
C O:	2.1 lb/1000 gal =	9.86 ton/yr

**** Aggregate drying: Drum-mix plant ****

The following calculations determine the amount of worst case emissions created by aggregate drying before controls, based on 8,760 hours of use and USEPA's AP-42, 5th Edition, Section 11.1 - Hot Mix Asphalt Plants, Table 11.1-3 for a drum mix dryer which has the capability of combusting fuel oil:

Pollutant:	Ef	lb/ton x	<u>450</u>	ton/hr x	8,760 hr/yr
			2,000	lb/ton	

Criteria Pollutant:			Uncontrolled:	After Control:
P M:	28	lb/ton =	55,188.00 ton/yr	70.64 ton/yr
P M-10:	6.5	lb/ton =	12,811.50 ton/yr	16.40 ton/yr
Lead:	5.40E-04	lb/ton =	1.06 ton/yr	1.4E-03 ton/yr
HCl:	2.10E-04	lb/ton =	0.41 ton/yr	0.41 ton/yr
HAPs:	7.60E-03	lb/ton =	14.98 ton/yr	14.98 ton/yr

The HCl emission factor for aggregate drying was obtained from U.S. EPA's AP-42, 5th Edition, Section 11.1, Table 11.1-8.

The Lead emission factor for aggregate drying was obtained from U.S. EPA's AP-42, 5th Edition, Section 11.1, Table 11.1-12 for a fuel oil fired dryer. HAPs include benzene, ethylbenzene, formaldehyde, methyl chloroform, naphthalene, toluene, xylene, arsenic, cadmium, chromium, manganese, mercury, and nickel compounds.

**** Emissions After Controls ****

**** Aggregate dryer ****

* Emissions of PM and PM-10 from aggregate drying operations are controlled with a 99.87% control efficiency.

The following calculations determine the amount of emissions created by re-refined waste oil @ 1.0 % sulfur based on a fuel usage limitation of 1,783,178 gal/yr:

Refinery Blend Fuel Oil:	<u>1,783,178 gal/yr</u>	* Ef (lb/1,000 gal) = (ton/yr)
	2,000 lb/ton	
P M:	66.0 lb/1000 gal =	0.396 ton/yr
P M-10:	57.0 lb/1000 gal =	0.342 ton/yr
S O 2:	107.0 lb/1000 gal =	95.40 ton/yr
N O x:	16.0 lb/1000 gal =	14.27 ton/yr
V O C:	1.0 lb/1000 gal =	0.89 ton/yr
C O:	2.1 lb/1000 gal =	1.87 ton/yr

Indiana Department of Environmental Management Office of Air Quality

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

Source Background and Description

Source Name:	Rieth-Riley Construction Company, Inc.
Source Location:	2552 Industrial Drive, Valparaiso, Indiana 46383
County:	Porter
SIC Code:	2951
Operation Permit No.:	F 063-20330-05267
Operation Permit Issuance Date:	May 10, 2005
Permit Revision No.:	127-22570-05267
Permit Reviewer:	Trish Earls/EVP

The Office of Air Quality (OAQ) has reviewed a revision application from Rieth-Riley Construction Company, Inc. relating to the operation of portable hot mix asphalt manufacturing source.

History

On January 26, 2006, Rieth-Riley Construction Company, Inc. submitted an application to the OAQ requesting to relocate the portable source to the above listed location in Porter County. Since Porter County is designated as severe nonattainment for the 1-hour ozone standard, VOC emissions from the entire source must be limited to less than 25 tons per year to render the requirements of 326 IAC 2-3 (Emission Offset) not applicable. The source has proposed to limit the amount of VOC containing diluent used in the production of cold mix cutback asphalt so that VOC emissions from cold mix cutback asphalt do not exceed 19.9 tons per year. This will limit source-wide VOC emissions to less than 25 tons per year.

Additionally, the source has requested that the two (2) diesel-fired generators be removed from the FESOP because they will not be used at the new location.

Rieth-Riley Construction Company, Inc. was issued a FESOP (F063-20330-05267) on May 10, 2005.

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units and pollution control devices:

- (a) One (1) drum mixer, identified as 2, equipped with a baghouse for particulate control, exhausting to Stack SV1, capacity: 450 tons per hour.
- (b) One (1) dryer burner, identified as 3, firing re-refined oil, natural gas, No. 2 fuel oil, No. 4 fuel oil, propane gas or butane gas, exhausting to Stack SV1, rated at 150 million British thermal units per hour.
- (c) Two (2) hot oil heaters, identified as 14A and 14B, firing No. 2 fuel oil or propane gas, exhausting to Stacks SV2 and SV3, capacity: 2.15 million British thermal units per hour, each.

- (d) One (1) tank, identified as 13A, storing liquid asphalt, exhausting to Stack SV4, capacity: 30,000 gallons.
- (e) One (1) tank, identified as 13B, storing liquid asphalt, exhausting to Stack SV5, capacity: 25,000 gallons.
- (f) One (1) tank, identified as 13C, storing liquid asphalt, exhausting to Stack SV6, capacity: 15,000 gallons.
- (g) One (1) tank, identified as 13D, storing liquid asphalt, exhausting to Stack SV7, capacity: 10,000 gallons.
- (h) One (1) tank, identified as 11A, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV8, capacity: 10,000 gallons.
- (i) One (1) tank, identified as 11B, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV9, capacity: 10,000 gallons.
- (j) One (1) tank, identified as 12A, storing No. 2 fuel oil, exhausting to Stack SV10, capacity: 420 gallons.
- (k) One (1) tank, identified as 12B, storing No. 2 fuel oil, exhausting to Stack SV11, capacity: 420 gallons.
- (l) One (1) tank, identified as 12C, storing No. 2 fuel oil, exhausting to Stack SV12, capacity: 8,000 gallons.
- (m) One (1) portable recycled asphalt crusher, identified as 10, capacity: 225 tons of asphalt per hour.
- (n) Cold-mix cutback asphalt production.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities operating at this source during this review process.

Emission Units and Pollution Control Equipment Removed From the Source

- (a) One (1) diesel fired generator, identified as 16, exhausting to Stack SV-13, rated at 680 kilowatts output and 9.176 million British thermal units per hour heat input.
- (b) One (1) diesel fired generator, identified as 17, exhausting to Stack SV-14, rated at 85 kilowatts output and 1.049 million British thermal units per hour heat input.

Existing Approvals

The source was issued a FESOP (F063-20330-05267) on May 10, 2005. The source has since received the following:

- (a) First Administrative Amendment No. 063-22428-05267, issued on January 10, 2006.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

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

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

An application for the purposes of this review was received on January 26, 2006. Additional information was received on February 24, 2006.

Emission Calculations

There are no increases in emissions due to this revision. However, to reflect the use of the latest emission factors from US EPA's AP-42 Section 11.1 for HCl and Lead emissions from the aggregate dryer, emission calculations have been included for the aggregate dryer burning re-refined waste oil and for aggregate drying. See Appendix A of this document for detailed emissions calculations (1 page).

Justification for Modification

The FESOP is being modified through a Significant Permit Revision. This modification is being performed pursuant to 326 IAC 2-8-11.1(f) because the change does not qualify as an administrative amendment or a minor permit revision, and is considered a significant change to existing permit terms and conditions, including monitoring and record keeping.

County Attainment Status

The source is to be located in Porter County.

Pollutant	Status
PM-10	Attainment
PM-2.5	Nonattainment
SO ₂	Attainment
NO ₂	Attainment
1-hour Ozone	Severe Nonattainment
8-hour Ozone	Basic Nonattainment
CO	Attainment
Lead	Attainment

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone.
- (1) On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Porter County has been designated as nonattainment in Indiana for the 1-hour ozone standard. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.

- (2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Porter County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.
- (b) U.S.EPA in Federal Register Notice 70 FR 943 dated January 5, 2005 has designated Porter County as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office on behalf of IDEM filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of non-attainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the Non-attainment New Source Review requirements. See the State Rule Applicability for the source section.
- (c) Porter County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability for the source section.

Source Status

Existing Source PSD and Emission Offset Definition (emissions after controls, based upon 8760 hours of operation per year at rated capacity and/or as otherwise limited):

Pollutant	Emissions (tons/year)
PM	<250
PM-10	<100
SO ₂	<100
VOC*	<100
CO	<100
NOx	<100

*When the FESOP was issued to this source it was located in Hendricks County which is only nonattainment for the 8-hour ozone standard. Therefore, the major source threshold under Emission Offset was 100 tons per year.

- (a) This existing source is not a major stationary source under 326 IAC 2-2 (PSD) because no attainment regulated pollutant is emitted at a rate of 250 tons per year or more, and it is not one of the 28 listed source categories.
- (b) This existing source was not a major stationary source under 326 IAC 2-3 (Emission Offset) because no nonattainment regulated pollutant is emitted at a rate of 100 tons per year or more.
- (c) These emissions are based upon FESOP No. F063-20330-05267, issued on May 10, 2005.

Potential to Emit for the Source After Issuance of Revision

The table below summarizes the total potential to emit, reflecting all limits, of the significant emission units for the modification.

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Drum mixer including burner (worst case)	Less than 214	Less than 61.2	Less than 95.4	4.69	55.19	Less than 97.12	Single (HCl) 0.41 Total 15.39
Two hot oil heaters (worst case)	0.127	0.209	4.51	0.391	0.659	2.88	
Conveying/handling	5.18	0.518	-	-	-	-	
Screening	15.8	1.58	-	-	-	-	
Storage piles	0.509	0.178					
Unpaved Roads	572.79	22.38	-	-	-	-	
Paved Roads	50.40	9.81	-	-	-	-	
Load Out/Silo Filling	-	-	-	-	-	-	Single (2-Methylnaphthalene) 0.0067 Total 0.135
Cold mix asphalt	-	-	-	19.9	-	-	-
Total Emissions	Less than 250*	Less than 100	Less than 100	Less than 25	55.85	Less than 100	15.53

* Excluding fugitive emissions from paved and unpaved roads.

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

This revision to an existing minor stationary source is not major because the emission increase is less than the Emission Offset significant levels. Therefore, pursuant to 326 IAC 2-3, the Emission Offset requirements do not apply.

Portable Source

- (a) **Initial Location**
 This is a portable source and its initial location is 2552 Industrial Drive, Valparaiso, Indiana 46383.
- (b) **PSD and Emission Offset Requirements**
 The emissions from this portable source were reviewed under the requirements of the Prevention of Significant Deterioration (PSD), 326 IAC 2-2, and Emission Offset, 326 IAC 2-3.
- (c) **Fugitive Emissions**
 Although this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, there is an applicable New Source Performance Standard that was in effect on August 7, 1980 (40 CFR 60, Subpart I). Therefore, the fugitive emissions, except those from paved and unpaved roads, are counted toward determination of PSD and Emission Offset applicability.

Pursuant to 40 CFR 60.90(a), the affected facility to which the provisions of Subpart I apply is each hot mix asphalt facility. For the purpose of Subpart I, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems. Since paved and unpaved roads are not an affected facility of the applicable NSPS, fugitive particulate emissions resulting from paved and unpaved roads are not counted toward determination of PSD and Emission Offset applicability.

Federal Rule Applicability

- (a) Since issuance of FESOP No. F063-20330-05267 on May 10, 2005, the October 15, 2003 revisions to 40 CFR 60, Subpart Kb, were incorporated into the Indiana State Implementation Plan (SIP). Therefore, the requirements from the previous version of 40 CFR 60, Subpart Kb, published in the federal register on August 8, 1987 are no longer applicable. The rule now applies to each storage vessel installed after July 23, 1984, with a storage capacity greater than 75 cubic meters (m³), used to store volatile organic liquids (VOLs). The only storage tanks at this source with a storage capacity greater than 75 cubic meters are Tanks 13A and 13B. However, pursuant to 40 CFR 60.110b (b), the requirements of 40 CFR 60, Subpart Kb, are not applicable to tanks that have a capacity greater than seventy-five (75) cubic meters, but less than 151 cubic meters, and a maximum true vapor pressure less than 15.0 kiloPascals. Therefore the requirements of this rule are not included in this permit. All other tanks at this source are not subject to this rule because each tank has a storage capacity less than 75 cubic meters.

There are no other changes to the Federal Rule Applicability as included in FESOP No. F063-20330-05267, issued on May 10, 2005.

State Rule Applicability - Entire Source

326 IAC 2-3 Emission Offset

- (a) Porter County has been designated as severe non-attainment for the 1-hour ozone standard. A major source in a severe non-attainment area for the 1-hour ozone standard is a source that emits or has the potential to emit 25 tons per year or more of VOC. The source will limit the usage of VOC containing diluent in the liquid binder used to produce cold mix cutback asphalt such that VOC emissions from cold mix cutback asphalt production shall be limited to less than 19.9 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. This will limit source-wide VOC emissions to less than 25 tons per year so that the requirements of 326 IAC 2-3 will not apply. This source will also be a minor source under this rule.
- (b) Porter County has been designated as basic non-attainment for the 8-hour ozone standard. A major source in a basic non-attainment area for the 8-hour ozone standard is a source that emits or has the potential to emit 100 tons per year or more of VOC or NOx. This source will limit VOC emissions to less than 25 tons per year as stated above and NOx emissions are limited to less than 100 tons per year pursuant to 326 IAC 2-8 (FESOP). Therefore, the requirements of 326 IAC 2-3 do not apply.

326 IAC 2-1.1-5 (Nonattainment NSR)

Porter County has been designated as non-attainment for PM 2.5 in 70 FR 943 dated January 5, 2005. According to the April 5, 2005 EPA memo titled "Implementation of New Source Review Requirements in PM2.5 Nonattainment Areas" authored by Steve Page, Director of OAQPS, until EPA promulgates the PM 2.5 major NSR regulations, states should assume that a major stationary source's PM10 emissions represent PM2.5 emissions. IDEM will use the PM10 nonattainment major NSR program as a surrogate to address the requirements of nonattainment major NSR for the PM2.5 NAAQS. A major source in a nonattainment area as a source that emits or has the potential to emit 100 tpy of any regulated pollutant. Rieth-Riley Construction Company, Inc. has a limited potential to emit of PM10 below 100 tpy. Therefore, assuming that PM10 emissions represent PM2.5 emissions, Nonattainment NSR does not apply.

326 IAC 2-8-4 (FESOP)

All existing limits pursuant to 326 IAC 2-8 remain unchanged as a result of this modification except for the following:

Since this source will now be located in Porter County which is designated as severe nonattainment for ozone, the major source threshold under 326 IAC 2-7 (Part 70) for VOC is 25 tons per year. Therefore, the source will limit the usage of VOC containing diluent in the liquid binder used to produce cold mix cutback asphalt such that VOC emissions from cold mix cutback asphalt production shall be limited to less than 19.9 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. This will limit source-wide VOC emissions to less than 25 tons per year so that the requirements of 326 IAC 2-7 do not apply.

326 IAC 2-6 (Emission Reporting)

Pursuant to 326 IAC 2-6-1(a)(2) this source is now subject to this rule because it will be located in Porter County and the potential to emit of NOx from this source is greater than twenty-five (25) tons per year. Pursuant to 326 IAC 2-6-3(a)(1), an emission statement covering the previous calendar year must be submitted by July 1 annually. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

There are no additional entire source State Rules included in this permit revision, other than those included in FESOP F063-20330-05267, issued on May 10, 2005.

State Rule Applicability – Individual Facilities

326 IAC 6.5-1-2 (formerly 326 IAC 6-1-2) (Particulate Limitations)

326 IAC 6-1 has been repealed and all non-Lake County PM limitations have been placed into 326 IAC 6.5. These changes were published in the September 1, 2005 Indiana Register. The particulate matter emissions from the asphalt plant are subject to the requirements of 326 IAC 6.5-1-2(a) (Particulate matter limitations except Lake County) (formerly 326 IAC 6-1-2) because this source is a portable source which can be located in one of the counties listed in 326 IAC 6.5-1-1(a) and potential particulate matter (PM) emissions exceed 100 tons per year. Pursuant to 326 IAC 6.5-1-2(a), PM emissions from the drum mixer are limited to 0.03 grains per dry standard cubic foot (gr/dscf). The source will comply with this rule by using a baghouse to limit particulate matter emissions to less than 0.03 gr/dscf.

There are no additional individual facility State Rules included in this permit revision, other than those included in FESOP F063-20330-05267, issued on May 10, 2005.

Compliance Requirements

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

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

There are no new compliance monitoring requirements being added to the FESOP as a result of this revision.

Changes Proposed

The changes listed below have been made to the FESOP F063-20330-05267 with additions in bold and deletions in ~~strikeout~~.

1. Section A.1 has been updated to include the proposed location of this source as follows:

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

The Permittee owns and operates a portable hot mix asphalt manufacturing source.

Authorized individual:	Edward J. Clements, Environmental Engineer
Source Address:	Portable
Mailing Address:	P.O. Box 477, Goshen, Indiana 46527
General Source Phone:	574 - 875 - 5183 x 20226
SIC Code:	2951
Source Location Status:	Hendricks Porter County Nonattainment for 8-hour ozone, and PM _{2.5} Severe Nonattainment for 1-hour ozone
Source Status:	Attainment for all other criteria pollutants Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD, and Emission Offset, and Nonattainment NSR Rules Minor Source, Section 112 of the Clean Air Act

2. Section A.2 is revised to reflect the removal of the two (2) diesel-fired generators as follows:

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

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

- (a) One (1) drum mixer, identified as 2, equipped with a baghouse for particulate control, exhausting to Stack SV1, capacity: 450 tons per hour.
- (b) One (1) dryer burner, identified as 3, firing re-refined oil, natural gas, No. 2 fuel oil, No. 4 fuel oil, propane gas or butane gas, exhausting to Stack SV1, rated at 150 million British thermal units per hour.

- ~~(c)~~ One (1) diesel fired generator, identified as 16, exhausting to Stack SV-13, rated at 680 kilowatts output and 9.176 million British thermal units per hour heat input.
 - ~~(d)~~ One (1) diesel fired generator, identified as 17, exhausting to Stack SV-14, rated at 85 kilowatts output and 1.049 million British thermal units per hour heat input.
 - ~~(e)~~(c) Two (2) hot oil heaters, identified as 14A and 14B, firing No. 2 fuel oil or propane gas, exhausting to Stacks SV2 and SV3, capacity: 2.15 million British thermal units per hour, each.
 - ~~(f)~~(d) One (1) tank, identified as 13A, storing liquid asphalt, exhausting to Stack SV4, capacity: 30,000 gallons.
 - ~~(g)~~(e) One (1) tank, identified as 13B, storing liquid asphalt, exhausting to Stack SV5, capacity: 25,000 gallons.
 - ~~(h)~~(f) One (1) tank, identified as 13C, storing liquid asphalt, exhausting to Stack SV6, capacity: 15,000 gallons.
 - ~~(i)~~(g) One (1) tank, identified as 13D, storing liquid asphalt, exhausting to Stack SV7, capacity: 10,000 gallons.
 - ~~(j)~~(h) One (1) tank, identified as 11A, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV8, capacity: 10,000 gallons.
 - ~~(k)~~(i) One (1) tank, identified as 11B, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV9, capacity: 10,000 gallons.
 - ~~(l)~~(j) One (1) tank, identified as 12A, storing No. 2 fuel oil, exhausting to Stack SV10, capacity: 420 gallons.
 - ~~(m)~~(k) One (1) tank, identified as 12B, storing No. 2 fuel oil, exhausting to Stack SV11, capacity: 420 gallons.
 - ~~(n)~~(l) One (1) tank, identified as 12C, storing No. 2 fuel oil, exhausting to Stack SV12, capacity: 8,000 gallons.
 - ~~(o)~~(m) One (1) portable recycled asphalt crusher, identified as 10, capacity: 225 tons of asphalt per hour.
 - ~~(p)~~(n) Cold-mix cutback asphalt production.
3. Section D.2 is revised as shown below. The VOC limit in condition D.2.2 has been revised to limit the usage of VOC containing diluent in the liquid binder used to produce cold mix cutback asphalt such that VOC emissions from cold mix cutback asphalt production shall be limited to less than 19.9 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. This will limit source-wide VOC emissions to less than 25 tons per year so that the requirements of 326 IAC 2-7 (Part 70) and 326 IAC 2-3 (Emission Offset) do not apply. The quarterly report form for this limit has been revised accordingly without replication herein.
- Additionally since the storage tanks at this source are no longer subject to the requirements of the NSPS, 40 CFR 60, Subpart Kb as discussed under the Federal Rule Applicability section above, all conditions containing these requirements have been removed from the FESOP.
- Finally, since the requirements of condition D.1.8 apply to the use of asphalt emulsion in cold-mix asphalt production, this condition has been moved to section D.2 as shown below.

SECTION D.2 FACILITY OPERATION CONDITIONS

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

- (g)(e) One (1) tank, identified as 13A, storing liquid asphalt, exhausting to Stack SV4, capacity: 30,000 gallons.
- (h)(f) One (1) tank, identified as 13B, storing liquid asphalt, exhausting to Stack SV5, capacity: 25,000 gallons.
- (i)(g) One (1) tank, identified as 13C, storing liquid asphalt, exhausting to Stack SV6, capacity: 15,000 gallons.
- (j)(h) One (1) tank, identified as 13D, storing liquid asphalt, exhausting to Stack SV7, capacity: 10,000 gallons.
- (k)(i) One (1) tank, identified as 11A, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV8, capacity: 10,000 gallons.
- (l)(j) One (1) tank, identified as 11B, storing No. 2 fuel oil, No. 4 fuel oil or re-refined oil, exhausting to Stack SV9, capacity: 10,000 gallons.
- (m)(k) One (1) tank, identified as 12A, storing No. 2 fuel oil, exhausting to Stack SV10, capacity: 420 gallons.
- (n)(l) One (1) tank, identified as 12B, storing No. 2 fuel oil, exhausting to Stack SV11, capacity: 420 gallons.
- (o)(m) One (1) tank, identified as 12C, storing No. 2 fuel oil, exhausting to Stack SV12, capacity: 8,000 gallons.
- (p)(n) Cold-mix cutback asphalt production.

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

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

~~D.2.1 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR 60, Subpart A]~~

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

~~D.2.21 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-3]~~

~~Pursuant to 326 IAC 2-8-4, the total amount of liquid binder used in the production of cold mix cutback asphalt shall be limited to less than 307.2 tons of liquid binder per 365 consecutive day period, with compliance determined at the end of each day, and the daily average diluent content of the liquid binder shall not exceed twenty seven (27.0%) percent. **usage of VOC containing diluent added to the liquid binder used to produce cold mix cutback asphalt shall be limited such that VOC emissions from cold mix cutback asphalt production shall be limited to less than 19.9 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.** Therefore, the requirements of 326 IAC 2-7 and 326 IAC 2-3 are not applicable.~~

D.2.2 Volatile Organic Compounds (VOC) [326 IAC 8-5-2]

Pursuant to 326 IAC 8-5-2 (Miscellaneous Operations: asphalt paving), the owner or operator shall not cause or allow the use of asphalt emulsion containing more than seven (7.0) percent oil distillate by volume of emulsion for any paving application except the following purposes:

- (a) penetrating prime coating
- (b) stockpile storage
- (c) application during the months of November, December, January, February and March.

Compliance Determination Requirements

D.2.3 VOC Emissions

Compliance with the VOC emission limit in condition D.2.1 shall be determined by the following equation:

Emissions of VOC (tons) = Amount of Diluent Used (tons) x Weight % VOC in diluent

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

~~D.2.3 Record Keeping [326 IAC 12] [40 CFR 60.110b, Subpart Kb]~~

~~The three (3) tanks, identified as 13A, 13B and 13C, shall comply with the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.110b, Subpart Kb). These tanks are subject to only 40 CFR Part 60.116b, paragraphs (a) and (b), which require the Permittee to maintain accessible records showing the dimensions of the storage vessels and an analysis showing the capacity of the storage vessels. Records shall be kept for the life of the storage tanks.~~

D.2.4 Record Keeping Requirements

To document compliance with Condition D.2.21, the Permittee shall maintain daily **monthly** records of the following values:

- (a) Amount of **VOC containing diluent added to the** liquid binder used in the production of cold mix cutback asphalt; ~~and~~
- (b) **Average VOC content of the diluent content of added to the** liquid binder; **and**
- (c) **The weight of VOCs emitted for each compliance period.**

All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.5 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.21 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

4. An additional applicable rule cite has been added to condition B.3, Permit Term, and the condition has been updated as follows:

B.3 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5] [IC 13-15-3-6(a)]

- (a) This permit, **F063-20330-05267**, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date **of this permit**.
- (b) **If IDEM, OAQ, upon receiving a timely and complete renewal 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.**

5. Since this source is now located in Porter County, the Annual Compliance Certification is due on April 15 of each year. Condition B.11 is revised as follows:

B.11 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than ~~July 1~~ **April 15** of each year to:

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
 - (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

6. IDEM has determined that the Permittee is not required to keep records of all preventive maintenance. However, where the Permittee seeks to demonstrate that an emergency has occurred, the Permittee must provide, upon request, records of preventive maintenance in order to establish that the lack of proper maintenance did not cause or contribute to the deviation. Therefore, IDEM has deleted paragraph (b) of Section B – Preventive Maintenance, and has amended the Section B – Emergency Provisions condition as follows:

B.12 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, 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.

If due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

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

The PMP extension notification does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- ~~(b)~~ The Permittee shall implement the PMPs, including any required record keeping as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- ~~(e)~~ **(b)** A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- ~~(d)~~ **(c)** To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.13 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, 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 and IDEM Northwest Regional Office**, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,

Telephone No.: 317-233-5674 (ask for Compliance Section)

Facsimile No.: 317-233-5967

Telephone No.: 1-888-209-8892 (IDEM Northwest Regional Office) or,

Telephone No.: 219-757-0265 (IDEM Northwest Regional Office)

Facsimile No.: 219-757-0267

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

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

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

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

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

The notification which shall be submitted by the Permittee does not require the certification by the "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) **The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However,** IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

7. Condition B.16 has been updated as follows:

B.16 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

- (b) ~~Timely Submittal of Permit Renewal [326 IAC 2-8-3]~~

~~(1) —~~A timely renewal application is one that is:

~~(A)(1)~~ Submitted at least nine (9) months prior to the date of the expiration of this permit; and

~~(B)(2)~~ If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

~~(2) If IDEM, OAQ upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.~~

~~(c) Right to Operate After Application for Renewal [326 IAC 2-8-9]~~
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as needed to process the application.

8. Upon further review, IDEM has decided to remove (d) concerning nonroad engines from B.17 Permit Amendment or Modification. 40 CFR 89, Appendix A specifically indicates that states are not precluded from regulating the use and operation of nonroad engines, such as regulations on hours of usage, daily mass emission limits, or sulfur limits on fuel; nor are permits regulating such operations precluded, once the engine is no longer new.

B.17 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

(a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

Any such application shall be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

~~(d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.~~

9. IDEM has clarified the Section B Operational Flexibility condition as follows:

B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

(a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the ~~emissions allowable under~~ **limitations provided in** this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

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

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade **emissions** increases and decreases ~~in emissions in~~ at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

10. IDEM has added the following condition to section B as follows:

B.25 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) **the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or**
- (b) **the emission unit to which the condition pertains permanently ceases operation.**

11. Because this source will now be located in Porter County, condition C.1 has been revised to reflect the limits required to comply with 326 IAC 2-8 (FESOP) and to render 326 IAC 2-3 (Emission Offset) not applicable as follows:

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 volatile organic compounds (VOCs) from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-3 (Emission Offset) not applicable;

~~(2)~~ (2) The potential to emit any regulated pollutant, except particulate matter (PM) **and volatile organic compounds (VOCs)**, from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period. This limitation shall ~~satisfy~~ **also make the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset) not applicable;**

~~(3)~~ (3) 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

~~(4)~~ (4) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) Pursuant to ~~326 IAC 2-2 (Prevention of Significant Deterioration (PSD))~~, The potential to emit particulate matter (PM) from the entire source, except **paved and** unpaved roads, shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period. **This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.**

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

12. Because this source is currently located in Porter County, it is subject to the opacity limitations pursuant to 326 IAC 5-1-2(1). However, since this is a portable source, and could be re-located to any of the counties listed in 326 IAC 5-1-1(c), it would be subject to the opacity limitations pursuant to 326 IAC 5-1-2(2) when located in the counties listed in 326 IAC 5-1-1(c). Therefore, condition C.2 has been revised to include both limitations and when they apply:

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) **When this portable source is located in the areas listed in 326 IAC 5-1-1(c) the following limits shall apply:**

~~(a)(1)~~ (1) 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)(2)~~ (2) 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.

(b) **When this portable source is not located in the areas listed in 326 IAC 5-1-1(c) the following limits shall apply:**

(1) **Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.**

(2) **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.**

13. IDEM realizes that these specifications can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition.

C.143 ~~Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]~~

~~(a)~~ **Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed** **When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected normal maximum reading for the normal range 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 temperature or flow rate, 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)~~ (b) The Permittee may request **that** the IDEM, OAQ approve the use of ~~a pressure gauge or other~~ **an** instrument that does not meet the above specifications provided the Permittee can demonstrate **that** an alternative ~~pressure gauge or other~~ instrument specification will adequately ensure compliance with permit conditions requiring the measurement of ~~pressure drop or other~~ **the** parameters.

14. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. The Section D conditions that refer to this condition have been revised to reflect the new condition title, and the following changes have been made to the Section C condition:

**C.176 Compliance Response Plan -- Preparation, Implementation, Records, and Reports
Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]**

- ~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM 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 timeframe for taking reasonable response steps.~~
 - ~~(2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.~~
- ~~(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:~~
- ~~(1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or~~
 - ~~(2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.~~
 - ~~(3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.~~
 - ~~(4) Failure to take reasonable response steps shall be considered a deviation from the permit.~~
- ~~(c) The Permittee is not required to take any further response steps for any of the following reasons:~~
- ~~(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~

- ~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~
- ~~(3) An automatic measurement was taken when the process was not operating.~~
- ~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~
- ~~(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.~~
- ~~(e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-8-12 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~
- ~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~
- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.**
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:**
- (1) initial inspection and evaluation;**
 - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or**
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.**
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:**
- (1) monitoring results;**
 - (2) review of operation and maintenance procedures and records;**
 - (3) inspection of the control device, associated capture system, and the process.**
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.**

(e) The Permittee shall maintain the following records:

- (1) monitoring data;**
- (2) monitor performance data, if applicable; and**
- (3) corrective actions taken.**

15. Now that this source is subject to the Emission Reporting requirements pursuant to 326 IAC 2-6 as discussed above (see State Rule Applicability – Entire Source), a new condition C.18 has been added to the FESOP with the applicable requirements as follows:

C.18 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

- (a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit an emission statement by July 1 following a calendar year when the source emits oxides of nitrogen into the ambient air equal to or greater than twenty – five (25) tons. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.**

The statement must be submitted to:

**Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

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

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.**

16. Since this source is now approved to operate in a severe nonattainment area for ozone, condition C.21 is revised as follows:

C.21 Relocation of Portable Sources [326 IAC 2-14-4]

- (a) This permit is approved for operation in all areas of Indiana. ~~except in severe nonattainment areas for ozone (at the time of this permit's issuance these areas were Lake and Porter Counties). This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2, and Emission Offset requirements in 326 IAC 2-3. Prior to locating in any severe nonattainment area, the Permittee must submit a request and obtain a permit modification.~~**

- (b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:**

- (1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1**
- (2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8**

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

- (c) A "Relocation Site Approval" letter shall be obtained prior to relocating.
- (d) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:
 - (1) Madison County - (Anderson Office of Air Management)
 - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
 - (3) City of Gary - (Gary Department of Environmental Affairs)
 - (4) City of Hammond - (Hammond Department of Environmental Management)
 - (5) Marion County - (Indianapolis Office of Environmental Services)
 - (6) Vigo County - (Vigo County Air Pollution Control)
- (e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

17. Condition D.1.2 has been revised to include the rule cite for Nonattainment NSR since the PM10 limit in that condition will also render the requirements of Nonattainment NSR not applicable for PM2.5 as discussed under the State Rule Applicability section above.

D.1.2 Particulate Matter (PM and PM10) [326 IAC 2-8-4] [326 IAC 2-2][326 IAC 2-1.1-5]

- (a) PM emissions from the aggregate dryer/mixer shall be limited to 0.428 pounds per ton of asphalt produced.
- (b) Pursuant to 326 IAC 2-8-4, emissions of particulate matter 10 microns or less in diameter (PM10) from the aggregate dryer/mixer shall be limited to 0.1224 pounds per ton of asphalt produced, including both filterable and condensable fractions.
- (c) The source shall produce less than 1,000,000 tons of asphalt per 365 consecutive day period, with compliance determined at the end of each day.

Therefore, the Part 70 rules (326 IAC 2-7), and the requirements of 326 IAC 2-2 (PSD) **and Nonattainment NSR**, do not apply.

18. Condition D.1.4 has been revised to reflect that 326 IAC 6-1 has been repealed and all non-Lake County PM limitations have been placed into 326 IAC 6.5.

D.1.4 Particulate Matter (PM) [326 IAC 6.5-1]

Pursuant to **326 IAC 6.5-1-2(a) (formerly 326 IAC 6-1-2(a))**, the Permittee shall not allow or permit discharge to the atmosphere of any gases from the one (1) drum mixer which contain particulate matter in excess of 0.03 grains per dry standard cubic foot.

19. Due to the removal of the two (2) diesel-fired generators, condition D.1.5 is revised as follows:

D.1.5 Nitrogen Oxides (NOX) [326 IAC 2-8-4]

- (a) Pursuant to 326 IAC 2-8-4, the input of propane to the dryer/burner shall be limited to less than 10,223,158 gallons per 365 consecutive day period, with compliance determined at the end of each day. Therefore, the Part 70 rules (326 IAC 2-7), do not apply.

- (b) For purposes of determining compliance based on NOX emissions, each gallon of No. 2 distillate oil shall be equivalent to 1.263 gallons of propane, each gallon of No. 4 distillate oil shall be equivalent to 1.263 gallons of propane, each gallon of butane shall be equivalent to 1.105 gallons of propane, each gallon of re-refined oil shall be equivalent to 0.8421 gallons of propane, and each million cubic feet of natural gas shall be equivalent to 9,047 gallons of propane.

~~Furthermore, each hour of operation of the 680 kilowatt generator (16) shall be equivalent to 2,129.8 gallons of propane, and each hour of operation of the 85 kilowatt generator (17) shall be equivalent to 243.45 gallons of propane.~~

20. Upon further review, IDEM has determined that the emission factors for lead and HCl emissions from the aggregate dryer burning waste oil should be based on section 11.1 of US EPA's AP-42 since this section better represents aggregate dryer emissions for a drum mix asphalt plant. Based on the emission factors from Table 11.1-8 for HCl and Table 11.1-12 for lead, the potential uncontrolled emissions of HCl are 0.41 tons per year and the potential uncontrolled emissions of lead are 1.06 tons per year. Based on these emission calculations, presented in Appendix A of this TSD, the source is not a major source of HAPs because the potential to emit of any single HAP is less than 10 tons per year and the potential to emit of any combination of HAPs is less than 25 tons per year. Therefore, the HAP limit in condition D.1.7 is not necessary to comply with 326 IAC 2-8 (FESOP) and will be removed from the FESOP. The record keeping requirements in condition D.1.18, now re-numbered D.1.14, have also been revised to remove references to this limit as shown under item 27 below.

~~D.1.7 Hazardous Air Pollutants [326 IAC 2-4.1][326 IAC 2-8-4]~~

~~In order that the requirements of 326 IAC 2-4.1 and 326 IAC 2-7 do not apply, the emissions of HCl from the use of re-refined oil in the dryer/burner shall not exceed 5.88 tons per year. Compliance with this limit shall be achieved by limiting the chlorine content of the re-refined oil to one thousand (1,000) parts per million (ppm) and by limiting the annual re-refined oil usage as required by Condition D.1.6. Compliance shall be demonstrated on a calendar month average.~~

21. Since this asphalt plant has not been in operation since the original FESOP was issued on May 10, 2005, it was not possible for stack testing to be performed on the aggregate dryer/mixer. Therefore, condition D.1.10, now re-numbered D.1.8, is revised as follows to require the stack testing to be performed after start-up as follows:

~~D.1.408 Testing Requirements [326 IAC 2-8-5(1), (4)] [326 IAC 2-1.1-11]~~

~~Prior to October 1, 2005 During the period within 60 days after initial start-up but no later than 180 days after achieving the maximum production rate for the aggregate dryer, the Permittee shall perform PM and PM10 testing in order to demonstrate compliance with Conditions D.1.2, D.1.3 and D.1.4, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. PM10 includes filterable and condensable PM10. Testing shall be conducted in accordance with Section C- Performance Testing. Testing shall be conducted by an independent testing firm, and not an employee of Rieth-Riley.~~

22. Upon further review, IDEM has determined that the following condition does not need to be included in the permit, since it is regulated by another agency.

~~D.1.12 Used Oil Requirements [326 IAC 2-8-4(i)]~~

~~The re-refined oil burned in the aggregate dryer 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.~~

23. Condition D.1.16, Baghouse Inspections, has been removed from the FESOP. Upon further review, IDEM has determined that it is the Permittee's responsibility to include routine control device inspection requirements in the applicable preventive maintenance plan. Since the Permittee is in the best position to determine the appropriate frequency of control device inspections and the details regarding which components of the control device should be inspected, the conditions requiring control device inspections have been removed from the permit. In addition, the requirement to keep records of the inspections has been removed.

~~D.1.16 Baghouse Inspections~~

~~An inspection shall be performed each calendar quarter that the plant is in operation of all bags controlling the drying/mixing process when venting to the atmosphere. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.~~

24. Upon further review, IDEM has determined that once per day monitoring of the control device and visible emission notations is generally sufficient to ensure proper operation of the control device. Therefore, conditions D.1.14, now re-numbered D.1.11, and D.1.15, now re-numbered D.1.12, are revised as follows:

~~D.1.141 Visible Emissions Notations~~

- (a) Visible emission notations of the conveyers, material transfer points and the drum mixer/burner stack exhaust shall be performed once per ~~shift~~ **day** during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records and Reports shall be considered a deviation from this permit.~~ **If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.**

D.1.152 Parametric Monitoring

The Permittee shall record the ~~total static~~ pressure drop across the baghouse used in conjunction with the mixer/dryer, at least once per ~~shift~~ **day** when the drying/mixing process 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~~ **Response to Excursions or Exceedances**. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - ~~Compliance Response Plan - Preparation, Implementation, Records, and Reports~~ **Response to Excursions or Exceedances**, shall be considered a deviation from this permit.

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

25. Paragraph (a) of the Broken or Failed Baghouse condition has been deleted. For multi-compartment baghouses, the permit will not specify what actions the Permittee needs to take in response to a broken bag. However, a requirement has been added to Condition D.1.13, now re-numbered D.1.10, requiring the Permittee to notify IDEM if a broken bag is detected and the control device will not be repaired for more than ten (10) days. This notification allows IDEM to take any appropriate actions if the emission unit will continue to operate for a long period of time while the control device is not operating in optimum condition.

D.1.130 Particulate Matter (PM)

- (a) In order to comply with Conditions D.1.2, D.1.3 and D.1.4, the baghouse for PM and PM₁₀ control shall be in operation and control emissions from the drum mixer/dryer at all times that the drum mixer/dryer is in operation and exhausting to the outside atmosphere.
- (b) **In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.**

D.1.173 Broken or Failed Bag Detection

~~In the event that bag failure has been observed:~~

- (a) ~~For multi-compartment units, the affected baghouse compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit. If operations continue after bag failure is observed and it will be ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.~~

~~(b) (a)~~ For a single compartment baghouses **controlling emissions from a process operated continuously**, if failure is indicated by a significant drop in the baghouse=s pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then a failed units and the associated process **shall** be shut down immediately until the failed units ~~have~~ **has** been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouses **controlling emissions from a batch process**, if failure is indicated by a significant drop in the baghouse=s pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then **the feed to the process** failed units and the associated process ~~will~~ **shall** be shut down immediately until the failed units ~~have~~ **has** been repaired or replaced. **The emissions unit shall be shut down no later than the completion of the processing of the material in the emissions unit.** Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

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

26. Condition D.1.10 (a) is the same requirement (to operate the control equipment at all times) that is in C.7 Operation of Equipment. IDEM has decided that it is best to have this requirement under compliance determination in the specific D conditions, and remove C.7.

~~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.~~

27. Condition D.1.18, now re-numbered D.1.14, has been revised as follows to reflect the above changes as follows:

~~D.1.18~~ Record Keeping Requirements

- (a) To document compliance with Condition D.1.2(c), the Permittee shall maintain records of the amount of asphalt produced per day.
- (b) To document compliance with Conditions D.1.5, **and** D.1.6, ~~and D.1.7~~, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken daily and shall be complete and sufficient to establish compliance with the NOX, **and** SO2, ~~and HCl~~ emission limits established in Conditions D.1.5, **and** D.1.6, ~~and D.1.7~~. For the annual fuel limits, the compliance determination period is the most recent 365 day period. For the sulfur content limit, the compliance determination period is each calendar month.
- (1) Calendar dates covered in the compliance determination period;
 - (2) Actual fuel usage of each fuel used since last compliance determination period and equivalent sulfur dioxide, **and** nitrogen oxide, ~~and HCl~~ emissions;
 - (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

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

- (4) Fuel supplier certifications;
 - (5) The name of the fuel supplier; and
 - (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.
- (c) To document compliance with Condition D.1.141, the Permittee shall maintain records of the visible emission notations once per ~~shift~~ **day**.
- (d) To document compliance with Condition D.1.152, the Permittee shall maintain once per **shift day** records of the ~~total static~~ pressure drop during normal operation.
- ~~(e) To document compliance with Condition D.1.16, the Permittee shall maintain records of the results of the inspections required under Condition D.1.16.~~
- (f) **(e)** All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

Conclusion

The operation of this portable hot mix asphalt manufacturing source shall be subject to the conditions of the attached proposed Significant Permit Revision No. 127-22570-05267.

**Indiana Department of Environmental Management
Office of Air Quality**

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

Source Background and Description

Source Name:	Rieth-Riley Construction Company, Inc.
Source Location:	2552 Industrial Drive, Valparaiso, Indiana 46383
County:	Porter
SIC Code:	2951
Significant Permit Revision No.:	127-22570-05267
Permit Reviewer:	Trish Earls/EVP

On April 25, 2006, the Office of Air Quality (OAQ) had a notice published in The Times, Munster, Indiana, stating that Rieth-Riley Construction Company, Inc. had applied for a Significant Revision to their FESOP issued on May 10, 2005, to relocate the portable source to the above listed location in Porter County. The notice also stated that OAQ proposed to issue a Significant Permit Revision to the FESOP for this operation and provided information on how the public could review the proposed Significant Permit Revision and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this Significant Permit Revision should be issued as proposed.

Upon further review IDEM, OAQ has made the following changes to the FESOP (additions in bold, deletions in ~~strikeout~~):

- Condition A.5, Prior Permits Superseded, has been moved to section B and updated as follows:

~~A.5~~**B.25** Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of ~~previous~~ permits **established prior to F063-20330-05267** and issued pursuant to permitting programs approved into the state implementation plan have been either:

- incorporated as originally stated,
- revised, or
- deleted.

~~by this permit.~~

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

- Condition B.1, Permit No Defense, has been moved to the cover page.

~~B.1~~ **Permit No Defense [IC 13]**

~~This permit to operate does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.~~

The following paragraph has been added to the cover page of the permit as follows:

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 MSOP under 326 IAC 2-6.1.

3. Condition B.10 has been revised as follows:

B.10 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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent 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
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

(b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(c) The annual compliance certification report shall include the following:

- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
- (2) The compliance status;
- (3) Whether compliance was continuous or intermittent;
- (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
- (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

4. The phone number and the fax number listed in the Emergency Provisions condition and on the first page of the Emergency Occurrence Report have been corrected.

B.132 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 and IDEM Northwest Regional Office, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,

Telephone No.: 317-233-~~5674~~ **0178** (ask for Compliance Section)

Facsimile No.: 317-233-~~5967~~ **6865**

Telephone No.: 1-888-209-8892 (IDEM Northwest Regional Office) or,

Telephone No.: 219-757-0265 (IDEM Northwest Regional Office)

Facsimile No.: 219-757-0267

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

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

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

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

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

The notification which shall be submitted by the Permittee does not require the certification by the "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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-5674 0178
Fax: 317-233-5967 6865**

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

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: Portable
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP No.: 063-20330-05267

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674 0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967 6865), 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:

5. Condition B.18, has been revised as follows:

B.18 ~~Permit Revision~~ Source Modification 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.

6. Condition D.1.2 has been further clarified as follows:

D.1.2 Particulate Matter (PM and PM10) [326 IAC 2-8-4] [326 IAC 2-2][326 IAC 2-1.1-5]

- (a) PM emissions from the aggregate dryer/mixer shall be limited to 0.428 pounds per ton of asphalt produced.
- (b) Pursuant to 326 IAC 2-8-4, emissions of particulate matter 10 microns or less in diameter (PM10) from the aggregate dryer/mixer shall be limited to 0.1224 pounds per ton of asphalt produced, including both filterable and condensable fractions.
- (c) The source shall produce less than 1,000,000 tons of asphalt per 365 consecutive day period, with compliance determined at the end of each day.

Therefore, the Part 70 rules (326 IAC 2-7) **do not apply**, and **Compliance with these limits for PM and PM10 shall also render the requirements of 326 IAC 2-2 (PSD) and not applicable for PM and PM10. Compliance with the limit for PM10 shall also render the requirements of 326 IAC 2-1.1-5 (Nonattainment NSR), do not apply not applicable for PM2.5.**

7. An additional rule cite has been added to the title for condition D.1.6. Also, due to the removal of the two (2) diesel-fired generators, condition D.1.6 is revised as follows:

D.1.6 Sulfur Dioxide (SO₂) [326 IAC 2-8-4][326 IAC 7-1.1-2]

- (a) Pursuant to 326 IAC 2-8-4, the input of re-refined oil to the dryer/burner shall be limited to less than 1,783,178 gallons per 365 consecutive day period, with compliance determined at the end of each day. Therefore, the Part 70 rules (326 IAC 2-7), do not apply.
- (b) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the dryer burner shall not exceed one and six tenths (1.6) pounds per million British thermal units heat input when burning re-refined oil. Compliance with this limit shall be achieved by limiting the sulfur content of the re-refined oil to one percent (1.0%) by weight or less. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average. 326 IAC 7-1.1 and 326 IAC 7-2-1 are not federally enforceable.
- (c) For purposes of determining compliance based on SO₂ emissions, each gallon of No. 2 distillate oil shall be equivalent to 0.6636 gallons of re-refined oil, each gallon of No. 4 distillate oil shall be equivalent to 0.7010 gallons of re-refined oil, each gallon of propane shall be equivalent to 0.000187 gallons of re-refined oil, each gallon of butane shall be equivalent to 0.000187 gallons of re-refined oil, and each million cubic feet of natural gas shall be equivalent to 5.607 gallons of re-refined oil.

~~Furthermore, each hour of operation of the 680 kilowatt generator (16) shall be equivalent to 24.88 gallons of re-refined oil, and each hour of operation of the 85 kilowatt generator (17) shall be equivalent to 2.838 gallons of re-refined oil.~~

- (d) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the dryer burner shall not exceed five tenths (0.5) pounds per million British thermal units heat input when burning No. 2 and No. 4 distillate oils. Compliance with this limit shall be achieved by limiting the sulfur content of the No. 2 and No. 4 distillate oils to five tenth percent (0.5%) by weight or less. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average. 326 IAC 7-1.1 and 326 IAC 7-2-1 are not federally enforceable.

8. In order to demonstrate compliance with the opacity limit pursuant to 40 CFR 60, Subpart I included in condition D.1.3 of the FESOP, a requirement for opacity testing, as required in 40 CFR 60, Subpart I, has been included in condition D.1.8 as follows:

D.1.8 Testing Requirements [326 IAC 2-8-5(1), (4)] [326 IAC 2-1.1-11]

- (a)** During the period within 60 days after initial start-up but no later than 180 days after achieving the maximum production rate for the aggregate dryer, the Permittee shall perform PM and PM10 testing in order to demonstrate compliance with Conditions D.1.2, D.1.3**(a)** and D.1.4, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. PM10 includes filterable and condensible PM10. Testing shall be conducted in accordance with Section C- Performance Testing. Testing shall be conducted by an independent testing firm, and not an employee of Rieth-Riley.
- (b)** **During the period within 60 days after initial start-up but no later than 180 days after achieving the maximum production rate for the aggregate dryer, in order to demonstrate compliance with Condition D.1.3(b), the Permittee shall perform opacity testing utilizing 40 CFR Part 60 Appendix A, Method 9. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.**

9. Condition D.1.15 has been revised for clarification as follows:

D.1.15 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.2(c), D.1.5 and D.1.6**(a) and (c)** shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).