City of Indianapolis
DPW
Department of Public Works
Bart Peterson, Mayor

TO: Interested Parties / Applicant

RE: Capitol City Metals, LLC / Revocation 097-23338-00111

FROM: Felicia A. Robinson
Administrator
Office of Environmental Services

Notice of Decision: Revocation

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this revocation is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition describing your intent must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

If you have technical questions regarding the enclosed documents, please contact the Indianapolis Office of Environmental Services, Air Permits at (317) 327-2234.

Enclosures

Department of Public Works
Office of Environmental Services
2700 Belmont Avenue
Indianapolis, IN 46221
317-327-2234
Fax 327-2274
TDD 327-5186
indygov.org/dpw

City of Indianapolis
DPW
Department of Public Works
Bart Peterson, Mayor

August 25, 2006

Mr. Matt McKinney
General Manager
Capitol City Metals, LLC
311 South Shelby Street
Indianapolis, Indiana 46202

CERTIFIED MAIL 7000 0600 0023 5186 5751

Re: 097-23338-00111
Revocation of FESOP
FESOP No. 097-13884-00111

Dear Mr. McKinney:

The public notice comments letter from Hatchett & Hauck, LLP, submitted on behalf of Capitol City Metals, LLC on April 25, 2006, has been reviewed. This letter requested that FESOP No. 097-13884-00111, issued for a metal shredding operation located at 311 South Shelby Street, Indianapolis, Indiana 46202, be revoked. The reason for this revocation request is that the source has requested that the potential to emit regulated air pollutants be reevaluated and that the reevaluation determine that Capitol City Metals, LLC should now be classified as a Registration.

Pursuant to 326 IAC 2-1.1-9, any permit to construct or operate or any permit revision approval granted by the commissioner may be revoked for any cause that establishes in the judgement of the commissioner the fact that continuance of the permit or permit revision approval is not consistent with the purposes of 326 IAC 2. Pursuant to 326 IAC 2-5.5, Capitol City Metals, LLC, has been issued Registration 097-17949-00111. Therefore, Capitol City Metals, LLC is no longer required to have a Federally Enforceable State Operating Permit (FESOP).

The Federally Enforceable State Operating Permit (FESOP), F097-13884-00111, issued on April 9, 2003, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

If there are any questions about this revocation, please contact Mark Caraher at (317) 327-2272 or call (317) 327-2234.

Sincerely,

Felicia A. Robinson
Administrator

MBC

cc: File
Marion County Health Department
Air Compliance
IDEM, OAQ:
Administration & Development Section
Contract Management Section- Kim Wade
Contract Management Section-Barbara VanWinkle
Policy Planning & Coordination Section - Chet Bohannon
Compliance Data Section

Clean air is in
visible
describable
vigorating
valuable
credible
Air Quality Hotline: 317-327-4AIR | knozone.com

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