INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

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: January 2, 2007

RE: J.H. Rudolph & Co., Inc. / 037-23496-05022

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 03/23/06

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GENERAL
FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) FOR AN ASPHALT PLANT

OFFICE OF AIR QUALITY

J.H. Rudolph & Co., Inc.
5454 South 50th Street
Huntingburg, Indiana 47542

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F037-23496-05022	
Issued by:Original signed by Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date:January 2, 2007 Expiration DateJanuary 2, 2012

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and any local air pollution control agency having jurisdiction over the source. 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 pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application. Such a change may also render this general permit inapplicable and require that the Permittee obtain a new permit.

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

The Permittee owns and operates an asphalt pavement production plant.

Authorized individual:	Chief Operating Officer
Source Address:	5454 South 50th Street, Huntingburg, Indiana 47542
Mailing Address:	P.O Box 5226, Evansville, IN 47715
Telephone Number:	(812) 425-9955
SIC Code:	2951
NAICS:	234110
Maximum Capacity in Tons of Asphalt Produced per Hour:	470 tons/hour
Source Location Status:	Dubois
County Status:	Nonattainment for PM2.5 Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD and Emission Offset Permit issued pursuant to 326 IAC 2-8-18 as an Asphalt General FESOP

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

This stationary source consists of the dryer; either a batch mix or a drum mix, a dryer/mixer burner and a dryer/mixer exhaust system controlled by a baghouse. The source also contains conveying equipment, one or more liquid asphalt/oil heaters, liquid asphalt/oil storage tanks and handling equipment. The source may also include electrical generators.

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

This source may include insignificant activities, as defined in 326 IAC 2-7-1(21).

A.4 FESOP Applicability [326 IAC 2-8-2] [326 IAC 2-8-18]

This 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). Specifically, this source has applied for a general FESOP pursuant to the authority granted under 326 IAC 2-8-18. This permit is a general FESOP for an asphalt pavement production plant. This permit allows the source to operate in all areas of Indiana except any area in severe nonattainment for any National Ambient Air Quality Standard.

A.5 Prior Permit Conditions

(a) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits.

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit, IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued.

SECTION B GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

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

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

B.3 Permit Term [326 IAC 2-8-4(2)]

This permit is issued for a fixed term of five (5) years from the original date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

B.4 Local Air Pollution Control Agencies

(a) If the portable asphalt plant seeks to move to an area under the jurisdiction of any applicable Local Air Pollution Control Agency (LAPCA), the LAPCA may enact additional air pollution control requirements. The Permittee should contact the LAPCA when planning to relocate into an applicable jurisdiction.

(b) The Local Air Pollution Control Agencies are:

Anderson
Jurisdiction: Madison County

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street, Anderson, IN 46011
(765) 648-6158 (765) 648-5924 (FAX)

Evansville
Jurisdiction: City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County

City of Evansville EPA
C.K. Newsome Center
100 East Walnut Avenue, Suite 100
Evansville, IN 47713
(812) 435-6145 (812) 435-6155 (FAX)

Indianapolis
Jurisdiction: Marion County

Environmental Resources Management Division
Administration Building, 2700 South Belmont Ave, Indianapolis, IN 46221
(317) 327-2234 (317) 274-2274 (FAX)

Vigo County
Jurisdiction: Vigo County

Vigo County Air Pollution Control
103 S. 3rd St., Terre Haute, IN 47807
(812) 462-3433 (812) 462-3447(FAX)

B.5 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.6 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.7 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.8 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.9 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)] [326 IAC 2-8-5(a)(4)]

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

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of 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).

(b) 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 or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality.[326 IAC 2-8-4(5)(E)]

(c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. 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.10 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.11 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

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

(1) Enforcement action;

(2) Permit termination, revocation and reissuance, or modification; and

(3) Denial of a permit renewal application.

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

(c) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in condition B.15, Emergency Provisions.

B.12 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.

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

B.13 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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

(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 Section 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.14 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 thirty (30) 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 thirty (30) days provided the Permittee notifies:

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

The PMP and the PMP extension notification do 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 as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.

(c) A copy of the PMPs shall be submitted to IDEM, OAQ 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 contributes to any violation. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner, within a reasonable time.

B.15 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 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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of
this permit)

Failure to notify IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

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

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of
this permit)

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

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

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

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

(6) The Permittee immediately took all reasonable steps to correct the emergency.

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

(e) IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) 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, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.

(g) Operations may continue during an emergency only if the following conditions are met:

(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

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

(A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and

(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

B.16 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 Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report.

The notification by the Permittee 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 or a rule. It does not include:

(1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or

(2) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.

(c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

B.17 Permit Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8][326 IAC 2-8-18]

(a) This permit may be reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP revocation and reissuance, or termination does not stay any condition of this permit. 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.18 Permit Renewal [326 IAC 2-8-3(h)]

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

Request for renewal shall be submitted to:
Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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

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

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

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

(2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied. 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.19 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1] [326 IAC 2-8-18]

(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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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

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

(d) Any application for a revision or modification that would change a standard term or condition of the General FESOP may be treated as an application for a FESOP pursuant to 326 IAC 2-8-3. The filing of a request by the Permittee for a FESOP modification or a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)]

B.20 Operational Flexibility [326 IAC 2-8-15]

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

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(3) The Permittee notifies the:

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

(b) The Permittee may make changes under an emissions cap included in a FESOP permit without a permit revision, subject to the constraints in (a) and the following conditions:

(1) The emissions cap has been established in accordance with 326 IAC 2-8-15 and 326 IAC 2-1.1-12.

(2) The notification to the commissioner under (a) shall include the information under 326 IAC 2-1.1-12(f).

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

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

(d) The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

B.21 Permit Revision Requirement [326 IAC 2-8-11.1][326 IAC 2-8-18]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2, 326 IAC 2-8-11.1, and 326 IAC 2-8-18.

B.22 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2]

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

(a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-8-10][326 IAC 2-8-11(b)(3)] [326 IAC 2-8-18]

(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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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) Pursuant to 326 IAC 2-8-11(b)(3), the Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request.

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16] [326 IAC 2-8-18(b)(3)]

(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, and/ or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

(a) Pursuant to 326 IAC 2-8:

(1) The potential to emit any regulated pollutant from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period.

(2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and

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

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

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

C.2 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. 326 IAC 4-1-3(a)(2)(A) and (B) are not federally enforceable.

C.3 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. 326 IAC 9-1-2 is not federally enforceable.

C.4 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). 326 IAC 6-4-2(4) is not federally enforceable.

C.5 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 by the Permittee to IDEM. The plan is included in this permit and is attached hereto as Attachment A.

C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]

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

C.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. The provisions of 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4(d)(3), (e), and (f), and 326 IAC 1-7-5(d) are not federally enforceable.

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

The notifications do not require a certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited, pursuant to the provisions of 40 CFR 61, Subpart M, is federally enforceable.

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

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

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

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

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ, not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the source submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented 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 thirty (30) days, the Permittee may extend the compliance schedule related to the equipment for an additional thirty (30) days provided the Permittee notifies:

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

in writing, prior to the end of the initial thirty (30) 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 Maintenance of Emission Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]

(a) In the event that a breakdown of the emission monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation.

(b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

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

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

C.14 Temperature Gauge 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 a temperature, 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 ("2%) of full scale reading.

(b) The Permittee may request the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of temperature.

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

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

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

(a) If the Permittee has not already done so, 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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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

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

(c) If the ERP is disapproved by IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), 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, or any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit), that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.16 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]

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

(a) A compliance schedule for meeting the requirements of 40 CFR 68; or

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

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

C.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]

(a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. The compliance monitoring plan can be either an entirely new document, consist in whole of information contained in other documents, or consist of a combination of new information and information contained in other documents. If the compliance monitoring plan incorporates by reference information contained in other documents, the Permittee shall identify as part of the compliance monitoring plan the documents in which the information is found. The elements of the compliance monitoring plan are:

(1) This condition;

(2) The Compliance Determination Requirements in Section D of this permit;

(3) The Compliance Monitoring Requirements in Section D of this permit;

(4) The Record Keeping and Reporting Requirements in Section C (General Record Keeping Requirements and General Reporting Requirements) and in Section D of this permit; and

(5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) upon request and shall be subject to review and approval by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit). The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:

(A) Reasonable response steps that may be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and

(B) A time schedule for taking reasonable response steps including a schedule for devising additional response steps for situations that may not have been predicted. Failure to take reasonable response steps may constitute a violation of the permit.

(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. Failure to take reasonable response steps may constitute a violation of the permit.

(c) Upon investigation of a compliance monitoring excursion, the Permittee is excused from taking further response steps for any of the following reasons:

(1) A false reading occurs due to the malfunction of the monitoring equipment. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.

(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.

(3) An automatic measurement was taken when the process was not operating.

(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.

(d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

(e) All monitoring required in Section D shall be performed at all times the equipment is operating. If monitoring is required by Section D and the equipment is not operating, then the Permittee may record the fact that the equipment is not operating or perform the required monitoring.

(f) At its discretion, IDEM may excuse the Permittee's failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides adequate justification and documents that such failures do not exceed five percent (5%) of the operating time in any quarter. Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.

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

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

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

The documents submitted pursuant to this condition do not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.19 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

(a) Permittees located or relocated in Clark, Elkhart, Floyd, Lake, Marion, Porter, St. Joseph and Vanderburgh counties as specified in 326 IAC 2-6-1 shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6. This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual 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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

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

(b) The annual 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.20 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

(a) Records of all required data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner 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 thirty (30) days of permit issuance.

C.21 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 Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

(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, any report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The report does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

Portable Source Requirement

C.22 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 (at the time of this permit's issuance these areas were Lake and Porter Counties). This determination is based on the requirements Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A Permittee seeking to relocate a portable source must give a thirty (30) day advance notice of relocation to IDEM, OAQ and a "Relocation Site Approval" letter must be obtained from IDEM, OAQ before any relocation. The notification by a Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) A Permittee shall also notify the applicable local air pollution control agency when relocating to or from one of 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) Marion County - (Indianapolis Air Pollution Control Agency)

(4) St. Joseph County - (St. Joseph County Health Department)

(5) Vigo County - (Vigo County Air Pollution Department)

(c) For portable sources, a valid operation permit consists of this permit and any subsequent "Relocation Site Approval" letter specifying the current location of a the portable plant.

Stratospheric Ozone Protection

C.23 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.

Storm Water Control

C.24 Compliance with Indiana's Storm Water Rule 327 IAC 8-4.1 and 327 IAC 15-3 [326 IAC 2-8-4]

Pursuant to 327 IAC 15-16-1, Indiana's Storm Water Rule, the permittee shall comply with applicable requirements of the rule.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description

An asphalt plant composed of the dryer (either batch mix type or drum mix type), a dryer/mixer burner, dryer mixer exhaust system controlled by a baghouse, conveying equipment, liquid asphalt/oil heater(s), liquid storage tanks, and handling equipment. The asphalt plant may also include electrical generators.

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

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

D.1 Production Limitation

The asphalt plant shall not exceed a total production of 600,000 tons of asphalt mix per twelve (12) month consecutive period.

D.2 Burner Fuel Limitation

The fuel combusted by the dryer/mixer burner and all other combustion equipment shall be limited as follows:

(a) Natural gas shall not exceed 180 million cubic feet per twelve (12) month period rolled on a monthly basis.

(b) Distillate (#2) combusted in the dryer and hot oil heaters shall have a sulfur content less than or equal to 0.50 percent and shall not exceed 1,200,000 gallons per twelve (12) month period rolled on a monthly basis,

(c) The amount of propane/butane that can be burned shall not exceed 1,800,000 gallons per twelve (12) month period rolled on a monthly basis,

(d) Waste oils combusted in the dryer and hot oil heaters shall have a sulfur content less than or equal to 1 percent and shall not exceed 600,000 gallons per twelve (12) month period rolled on a monthly basis, or

(e) Fuel allotments in subparts a) through d) of this condition shall be adjusted when combusting more than one fuel per twelve (12) month period rolled on a monthly basis in the aggregate dryer/mixer burners and all other combustion equipment according to the following formulas and limits:

(1) Nitrogen oxide emission calculation and limit

$$N = \frac{G(E_G)+O(E_O)+P(E_P)+B(E_B)+W(E_W)+D(E_D)}{2{,}000 \text{ lbs/ton}}$$

Where:
N=tons of nitrogen oxide emissions for a 12 month consecutive period
Fuel usage
G=cubic feet of natural gas used for the last 12 months
O=gallons of oil used for last 12 months with less than or equal to 0.5% sulfur content
P=gallons of propane used for the last 12 months
B=gallons of butane used for the last 12 months
W=gallons waste oils used for the last 12 months with less than or equal to 1% sulfur content
D=gallons of distillate oil used for the last 12 months for electric generation units

Emission Factors for Nitrogen Oxide
E_G= 280 lb/million cubic feet of natural gas
E_O=24 pounds/1000 gallons of oil

E_P=19 pounds/1000 gallons of propane
E_B=21 pounds/1000 gallons of butane
E_W=19 pounds/1000 gallons of waste oil
E_D=616 pounds/1000 gallons of distillate oil

This total must be less than 50 tons of nitrogen oxide for every twelve (12) month consecutive period.

(2) Sulfur dioxide emission calculation and limit

$$S = \frac{G(E_G)+O(E_O)+(P+B)(E_P)+W(E_W)+D(E_D)}{2{,}000 \text{ lbs/ton}}$$

Where:
S=tons of sulfur dioxide emissions for 12 month consecutive period
Fuel Usage
G=cubic feet of natural gas used in last 12 months
O=gallons of oil used in last 12 months with less than or equal to 0.5% sulfur content
P=gallons of propane used in the last 12 months
B=gallons of butane used for the last 12 months
W=gallons of waste oil used in the last 12 months less than or equal to 1% sulfur
D=gallons of distillate oil used in the last 12 months for electric generation units

Emission Factors for Sulfur dioxide
E_G= 0.6 pounds/million cubic feet of natural gas
E_O=71 pounds/1000 gallons of oil
E_P= 0.02 pounds/1000 gallons of propane/butane
E_W=147 pounds /1000 gallons of waste oil
E_D=41 pounds/1000 gallons of distillate oil

This total must be less than 50 tons of sulfur dioxide for every twelve (12) month consecutive period.

D.3 Particulate Matter less than 10 Microns in Diameter (PM-10)

Pursuant to 326 IAC 2-2, emissions of particulate matter less than 10 microns in diameter (PM-10) from the dryer/mixer process exhaust system shall not exceed 0.13 pounds of PM-10 per ton of asphalt mix, including both filterable and condensibles fractions. Compliance with this limit is required by 326 IAC 2-8-4. The emissions of particulate matter less than 10 microns in diameter will be less than the minimum required under the Part 70 rules (326 IAC 2-7); therefore, the Part 70 requirements will not apply.

D.4 Particulate Emission Limitations

Drum Dryer/Burner Process Stack particulate emissions in the baghouse gas stream, excluding water and steam vapors, shall not exceed 0.03 grains per dry standard cubic foot. Compliance with this grain loading limit satisfies the grain loading limit of the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60.93, Subpart I).

D.5 Opacity Emission Limitation [326 IAC 5-1][326 IAC 12][40 CFR 60.90 Subpart I]

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

(1) Opacity from the source 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 from the source 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) Opacity from the hot mix asphalt facility which 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 the emission control system shall not exceed 20%. This assures compliance with opacity limit of the New Source Performance Standards, 326 IAC 12 (40 CFR 60.92).

D.6 Severe Nonattainment Area Limitations [326 IAC 2-1.1-5][326 IAC 1-4-1]

This plant shall not locate in any area classified as severe nonattainment for any National Ambient Air Quality Standard to ensure that the threshold limits for the area are not exceeded.

D.7 Preventive Maintenance [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and its control device. The Preventive Maintenance Plan will be kept on site.

Compliance Determinations Requirements

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

(a) The VOC solvent used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that no more than 47 tons of VOC emissions emitted per twelve (12) consecutive months. This shall be achieved by limiting the total VOC solvent of any one selected binder to not exceed the stated limit in (c) for that binder during the last twelve (12) months. When more than one binder is used, the formula in (c)(6) must be applied so that the total VOC emitted does not exceed 47 tons per twelve (12) consecutive month period.

(b) Liquid binders used in the production of cold mix asphalt shall be defined as follows:

(1) Cut back asphalt rapid cure, containing a maximum of 25.3% of the liquid binder by weight of VOC solvent and 95% by weight of VOC solvent evaporating.

(2) Cut back asphalt medium cure, containing a maximum of 28.6% of the liquid binder by weight of VOC solvent and 70% by weight of VOC solvent evaporating.

(3) Cut back asphalt slow cure, containing a maximum of 20% of the liquid binder by weight of VOC solvent and 25% by weight of VOC solvent evaporating.

(4) Emulsified asphalt with solvent, containing a maximum of 15% of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC solvent in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, must be 7% or less of the total emulsion by volume

(5) Other asphalt with solvent binder, containing a maximum 25.9% of the liquid binder of VOC solvent and 2.5% by weight of the VOC solvent evaporating

(c) The liquid binder used in cold mix asphalt production shall be limited as follows:

(1) Cutback asphalt rapid cure liquid binder usage shall not exceed 50 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(2) Cutback asphalt medium cure liquid binder usage shall not exceed 68 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(3) Cutback asphalt slow cure liquid binder usage shall not exceed 190 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(4) Emulsified asphalt with solvent liquid binder usage shall not exceed 102 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(5) Other asphalt with solvent liquid binder shall not exceed 1,900 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(6) The VOC solvent allotments in subpart (c)(1) through (c)(5) of this condition shall be adjusted when more than one type of binder is used per twelve (12) month consecutive period rolled on a monthly basis. In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.

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

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

The equivalent total tons of VOC of the combined liquid binders shall be less than 50 tons per twelve (12) consecutive month period rolled on a monthly basis.

D.9 Used Oil Requirements [329 IAC 13-8]

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:

(1) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),

(2) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and

(3) Maintain records pursuant to 329 IAC 13-8-6 (Tracking).

(4) The waste oil burned in the dryer/mixer burner shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). The burning of mixtures of used oil and hazardous waste that is regulated by 329 IAC 3.1 is prohibited at this source.

D.10 Testing Requirements [326 IAC 2-8-5(1)]

The Permittee shall perform PM and PM-10 testing. The required testing shall be conducted on the following schedule:

(a) New asphalt plants shall be stack tested within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up.

(b) A test for existing plant shall be repeated at least once every five (5) years. The five (5) year period shall be from the date of last valid compliance demonstration test.

(c) Existing plants that have not conducted a stack test shall submit a test protocol no later than 180 days after issuance this permit.

Test procedures shall be Methods 5, 9, or 17 (40 CFR 60, Appendix A) for PM and Methods 201 or 201A and 202 (40 CFR 51, Appendix M) for PM-10, or other methods as approved by the Commissioner. The PM-10 emissions includes filterable and condensibles PM-10.

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

D.11 Monitoring Baghouse on the Dryer/Burner Process Stack

(a) The baghouse for PM control shall be in operation at all times when the dryer/burner process is in operation.

(b) Visible emission notations from the dryer/burner process stack exhaust shall be performed by a trained employee twice in the morning and twice in the afternoon and recorded. The readings shall be separated by at least 1 hour. 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.

(c) The observance of visible emissions, not including condensed water vapor, from the above dryer/ burner exhaust stack or baghouse shall require the implementation of the Compliance Response Plan. The failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.

(d) The notation records shall indicate when the dryer /burner process is not operating during a production day. For each day that the dryer/burner process is not in operation, only one notion shall be required.

(e) The Compliance Response Plan for this source shall contain troubleshooting contingency and response steps to perform when visible emissions are observed.

(f) The failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps shall be considered a violation of this permit.

(g) The inlet temperature to the baghouse shall be maintained within a range of 200-400 degrees Fahrenheit to prevent overheating of the bags and to prevent low temperatures from mudding up the bags. In the event that bag failure has occurred due to rupture, melting, or any other reason, the Permittee shall take corrective action. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the inlet temperature reading is outside of the above mentioned range for any one reading. The baghouse shall shutdown for visual inspection within 24 hours and bags shall be replaced as needed.

D.12 Broken or Failed Bag Detection

In the event that bag failure has been observed:

(a) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). 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.

(b) When a single compartment baghouse fails, the material feeding system to the dryer shall cease operation immediately. The associated controlled process will be shut down when the material in production has cleared the system, except as allowed by condition B.15 applies. The dryer shall not operate 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).

D.13 Visible Emission Notations

(a) Daily visible emission notations of the conveyers, material transfer points, aggregate storage piles, and unpaved roads shall be performed during normal daylight operations. 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 shutdown 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 observance of visible emissions, not including condensed water vapor, from the dryer/mixer process exhaust system shall require the implementation of the Compliance Response Plan. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps shall be considered a violation of this permit.

The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

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

D.14 Record Keeping Requirements

(a) To document compliance with condition C.1, the Permittee shall maintain records of the emissions when the source is collocated with another source having the same owner. Both sources shall maintain records of emissions of all the regulated pollutants.

(b) All records shall be maintained in accordance with Condition C.20 - General Record Keeping Requirements, of this permit.

(c) To document compliance with Condition D.1 Production Limitation, the Permittee shall maintain records in tons of daily asphalt mix production.

(d) To document compliance with Condition D.2 Burner Fuel Limitation, the Permittee shall maintain records of daily fuel usage and maintain monthly records at the source of the following:

(1) Amount of each fuel used;

(2) The records for fuel oil shall contain a minimum of the following:

(A) Average sulfur content of any fuel oil used,

(B) Average higher heating value of any fuel oil used,

(C) The name of the fuel supplier, and

(D) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

(e) To document compliance with Condition D.8 Volatile Organic Compounds, VOC records shall document VOC usage as follows:

(1) Amount and type of liquid binder used in the production of cold mix asphalt each day.

(2) Type and VOC, solvent content by weight of the liquid binder used in the production of cold mix asphalt each day.

(3) Amount of VOC, solvent used in the production of cold mix asphalt each day.

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

.

(f) To document compliance with Condition D.11 Monitoring Baghouse on the Dryer/ Burner Process Stack, the inlet temperature to the baghouse shall be recorded once per shift while the dryer/burner process is in operation.

(g) To document compliance with Condition D.11 Monitoring Baghouse on the Dryer/ Burner Process Stack and Condition D.13 Visible Emission Notations, the records of visible emissions notations shall be maintained on site for twenty-four (24) months and shall be made available upon request for an additional thirty-six (36) months.

D.15 Volatile Liquid Storage Tanks [326 IAC 12] [326 IAC 2-8-18] [40 CFR Part 60.116 Subpart Kb]

Pursuant to New Source Performance Standard (NSPS), 326 IAC 12, 40 CFR Part 60.116 Subpart Kb, and 326 IAC 2-8-18, the permittee shall maintain accessible records for the life of each volatile liquid storage tank. The records for each tank shall include:

(a) The date the tank was manufactured,

(b) The dimensions of the tank,

(c) An analysis showing the capacity of the tank, and

(d) The vapor pressure of the VOC stores; indicating the minimum true vapor pressure of the VOC is less than 15 kPa.

D.16 Quarterly Reporting Requirements

A quarterly summary to document compliance with operation condition number D.1, D.2, a), b), c), d), and D.8 shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the enclosed forms or their equivalent, within thirty (30) days after the quarter being reported. If two or more plants collocate at a major source for any part of the reporting period, an additional report of the combined plants to show compliance with C.1 shall be submitted. These reports shall include the following:

(a) The total of mix asphalt produced each month,

(b) The amounts of fuels (oil, natural gas, butane and propane) used each month and the oils average sulfur contents. The reports shall use calendar month averages.

(c) To document compliance with Condition D.8 Volatile Organic Compounds, the amount and VOC contents of each diluent used in the production of cold mix cutback asphalt. Reports shall include copies of purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used.

D.17 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart I]

The requirements of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to any source that becomes subject to 40 CFR 60, Subpart I Standards of Performance for Hot Mix Asphalt Facilities except otherwise specified in 40 CFR 60, Subpart I.

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

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION

Source Name: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022

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

Please check what document is being certified:

Annual Compliance Certification Letter

Test Result (specify)

Report (specify)

Notification (specify)

Affidavit (specify)

Other (specify)

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

Signature:
Printed Name:
Title/Position:
Phone:
Date:

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

Production Quarterly Report

Source Name: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022
Facility: Asphalt Plant
Parameter: Particulate Matter
Limit: Total asphalt mix production shall not exceed 600,000 tons per twelve (12) consecutive months.

YEAR:

Month	**Column 1**	**Column 2**	**Column 1 + Column 2**
	This Month	**Previous 11 Months**	**12 Month Total**
Month 1			
Month 2			
Month 3			

No deviation occurred in this reporting period.

Deviation/s occurred in this reporting period.

Deviation has been reported on:

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

Attach a signed certification to complete this report.

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

Single Fuel Quarterly Report

Source Name: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022
Facility: Dryer/mixer Burner
Parameter: Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO_2)
Limit: Natural gas shall not exceed 180 million cubic feet per twelve (12) month period rolled on a monthly basis. Distillate (#2) combusted in the dryer and hot oil heaters shall have a sulfur content less than or equal to 0.50 percent and shall not exceed 1,200,000 gallons per twelve (12) month period rolled on a monthly basis. The amount of propane/butane that can be burned shall not exceed 1,800,000 gallons per twelve (12) month period rolled on a monthly basis. Waste oils combusted in the dryer and hot oil heaters shall have a sulfur content less than or equal to 1 percent and shall not exceed 600,000 gallons per twelve (12) month period rolled on a monthly basis

YEAR:

The following fuel was the only fuel combusted over the previous 12 month period:_____
(combustion of more than one fuel requires the use of the "Multiple Burner Fuels" report form)

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

No deviation occurred in this reporting period.

Deviation/s occurred in this reporting period.

Deviation has been reported on:

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

Attach a signed certification to complete this report

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

Multiple Fuel Quarterly Report

Source Name:	J.H. Rudolph & Co., Inc.
Source Address:	5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address:	P.O. Box 5226, Evansville, Indiana 47715
FESOP No.:	F037-23496-05022
Facility:	Dryer/mixer Burner
Parameter:	Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO_2)
Limit:	Nitrogen Oxides less than 50 tons per 12 consecutive month period based on the following equation:

$$N = \frac{G(E_G)+O(E_O)+P(E_P)+B(E_B)+W(E_W)+D(E_D)}{2{,}000 \text{ lbs/ton}}$$

where:
N=tons of nitrogen oxide emissions for a 12 month consecutive period
G=cubic feet of natural gas used for the last 12 months
O=gallons of oil used for last 12 months with less than or equal to 0.5% sulfur content
P=gallons of propane used for the last 12 months
B=gallons of butane used for the last 12 months
W=gallons waste oils used for the last 12 months with less than or equal to 1% sulfur content
D=gallons of distillate oil used for the last 12 months for electric generation units
E_G= 280 lb/million cubic feet of natural gas
E_O=24 pounds/1000 gallons of oil
E_P=19 pounds/1000 gallons of propane
E_B=21 pounds/1000 gallons of butane
E_W=19 pounds/1000 gallons of waste oil
E_D=616 pounds/1000 gallons of distillate oil

Sulfur Dioxide less than 50 tons per 12 consecutive month period based on the following equation:

$$S = \frac{G(E_G)+O(E_O)+(P+B)(E_P)+W(E_W)+D(E_D)}{2{,}000 \text{ lbs/ton}}$$

where:
S=tons of sulfur dioxide emissions for 12 month consecutive period
G=cubic feet of natural gas used in last 12 months
O=gallons of oil used in last 12 months with less than or equal to 0.5% sulfur content
P=gallons of propane used for the last 12 months
B=gallons of butane used for the last 12 months
W=gallons of waste oil used in the last 12 months less than or equal to 1% sulfur
D=gallons of distillate oil used in the last 12 months for electric generation units
E_G= 0.6 pounds/million cubic feet of natural gas
E_O=71 pounds/1000 gallons of oil
E_P= 0.02 pounds/1000 gallons of propane/butane
E_W=147 pounds /1000 gallons of waste oil
E_D=41 pounds/1000 gallons of distillate oil

DRAFT

Month	Fuel Types (units)	Column 1	Column 2	Column 1 + Column 2		Equation Results
		Usage This Month	Usage Previous 11 Months	12 Month Total Usage		Emissions (tons per 12 months)
Month 1	Natural Gas (cubic feet)			G		Nitrogen Oxides
	Fuel Oil #0.5 wt% sulfur (gallons)			O		
	Propane (gallons)			P		
	Butane (gallons)			B		Sulfur Dioxide
	Waste Oil #1.0 wt% sulfur (gallons)			W		
	Distillate Oil used in generators (gallons)			D		
Month 2	Natural Gas (cubic feet)			G		Nitrogen Oxides
	Fuel Oil #0.5 wt% sulfur (gallons)			O		
	Propane (gallons)			P		
	Butane (gallons)			B		Sulfur Dioxide
	Waste Oil #1.0 wt% sulfur (gallons)			W		
	Distillate Oil used in generators (gallons)			D		
Month 3	Natural Gas (cubic feet)			G		Nitrogen Oxides
	Fuel Oil #0.5 wt% sulfur (gallons)			O		
	Propane (gallons)			P		
	Butane (gallons)			B		Sulfur Dioxide
	Waste Oil #1.0 wt% sulfur (gallons)			W		
	Distillate Oil used in generators (gallons)			D		

No deviation occurred in this reporting period.
Deviation/s occurred in this reporting period.

Deviation has been reported on:
Submitted by: _____
Date:_____
Title / Position:_____
Signature:_____
Phone:_____
Attach a signed certification to complete this report

DRAFT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
Multiple Liquid Binder Solvent Quarterly Report

Source Name: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022
Facility: Asphalt Plant
Parameter: VOC
Limit:: 50 tons per year
Year:

Month	Type of Liquid binder	Solvent Usage This Month (tons)	Divisor	VOC emitted This Month (tons) for each solvent	VOC emitted This Month (tons)	VOC emitted Previous 11 Months (tons)	This month + Previous 11 months =VOC emitted 12 Month Total(tons)
Month 1	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 2	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 3	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				

No deviation occurred in this reporting period.

Deviation/s occurred in this reporting period.

Deviation has been reported on:

Submitted by: _____ Date: _____

Title / Position: _____ Signature: _____

Phone: _____

Attach a signed certification to complete this report

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

Single Liquid Binder Solvent Quarterly Report

Source Name: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022
Facility: Asphalt Plant
Parameter: VOC
Limit: Cutback asphalt rapid cure liquid binder usage shall not exceed 50 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis. Cutback asphalt medium cure liquid binder usage shall not exceed 68 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis. Cutback asphalt slow cure liquid binder usage shall not exceed 190 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis. Emulsified asphalt with solvent liquid binder usage shall not exceed 102 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis. Other asphalt with solvent liquid binder shall not exceed 1,900 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

YEAR:

The following liquid binder solvent was the only liquid binder solvent used over the previous 12 month period:_____ Limit applicable:_____
(use of more than one binder requires the use of the "Multiple Liquid Binder Solvents" report form)

Month	Column 1	Column 2	Column 1 + Column 2
	This Month (tons)	Previous 11 Months (tons)	12 Month Total (tons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this reporting period.
Deviation/s occurred in this reporting period.

Deviation has been reported on:
Submitted by: _____
Date:_____
Title / Position:_____
Signature:_____
Phone:_____

Attach a signed certification to complete this report

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
P.O. Box 6015
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: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022

This form consists of 2 pages Page 1 of 2

9 This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), and any applicable Local Air Pollution Control Agency, 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**) 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

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

Source Name: J.H. Rudolph & Co., Inc.
Source Address: 5454 South 50 Street Huntingburg, Indiana 47542
Mailing Address: P.O. Box 5226, Evansville, Indiana 47715
FESOP No.: F037-23496-05022

Months: _____ **to** _____ **Year:** _____

Page 1 of 2

This report is an affirmation that the source has met all the requirements stated in this permit. This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

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: _____

A certification is not required for this report.

ATTACHMENT A – FUGITIVE DUST CONTROL PLAN
J.H. Rudolph & Co., Inc.
F037-23496-05022
Dubois County, Indiana

1) Fugitive particulate matter emissions from plant roadways, parking lots and yards shall be controlled by one of the following methods:

   a) Application of water and/or water-dust control material solutions;
   b) Sweeping between watering;
   c) Limiting vehicular speed to 10 miles per hour.

2) Fugitive particulate matter emissions from conveying/handling operations shall be controlled by minimizing all drop distances.

3) Fugitive particulate matter emissions from storage piles shall be controlled by one of the following methods:

   a) minimizing drop distances; and
   b) maintaining moisture content of materials above 1.5%.

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a General Federally Enforceable State Operating Permit (FESOP) Renewal for an Asphalt Plant

The Office of Air Quality (OAQ) has developed a General Federally Enforceable State Operating Permit (FESOP) for asphalt pavement production plants pursuant to 326 Indiana Administrative Code (IAC) 2-8-18. The operator of an asphalt plant otherwise subject to Part 70 that can meet the criteria of the General FESOP may, at the operator's option, apply for either the General FESOP or for a regular FESOP. The General FESOP requires the operator to: accept a production limitation of 600,000 tons of asphalt mix for every twelve (12) consecutive month period; control particulate matter emissions from the dryer/mixer process exhaust system with a baghouse type control device; limit all emissions of particulate matter less than 10 microns in diameter (PM-10) to less than 0.13 pounds of PM-10 for every ton of asphalt mix; and limit visible emissions from the process exhaust to less than twenty percent (20%) opacity. These limits will result in permitted air pollution emissions that are less than half of those allowed by a regular FESOP. In addition, to qualify the plant must have received a previous construction permit and be in compliance with all other air pollution control rules. The General FESOP does not allow operation in any area that is in severe nonattainment for a National Ambient Air Quality Standard.

During the development of the general permit, options for the daily monitoring of the emissions from the baghouse were studied. IDEM determined that visible emissions monitoring of the baghouse exhaust can be an effective method of ensuring continual compliance with the permit emission limitations and standards.

An operator may wish to apply for a General FESOP because it contains some advantages over the regular FESOP. The General FESOP allows two asphalt plants, owned or operated by the same business, to operate at one location if both plants have General FESOPs. Currently, this could be done only if the two plants modified their regular FESOPs or they had Title V operating permits. The General FESOP makes the collocation of two plants possible without a permit modification. Since the draft General FESOP has been through a public review period, the General FESOP can be issued soon after the operator applies for it, without going through additional public notice or public review of a draft permit.

Permitted Emission Units and Pollution Control Equipment

The source is a stationary asphalt plant composed of the dryer/mixer (either batch or drum type), a dryer/mixer burner and dryer/mixer exhaust system controlled by a baghouse, conveying equipment, liquid asphalt/oil heater(s), liquid storage tanks, aggregate storage piles, and handling equipment. The asphalt plant may also include electrical generators. This source may include the insignificant activities, as defined in 326 IAC 2-7-1(21).

Enforcement Issue

IDEM is aware that the source did not apply for a FESOP renewal in a timely manner. IDEM is reviewing this matter and will take appropriate action.

Potential To Emit After Issuance

The operational emission limitations of the General FESOP keep air pollution emissions to less than fifty (50) tons of PM-10, sulfur dioxide, volatile organic compounds, carbon monoxide, and nitrogen oxide emissions during any twelve (12) consecutive months.

F037-23496-05022 Production Limitation:
The asphalt plant shall not exceed a total production of 600,000 tons of asphalt mix per twelve (12) consecutive month period.

Burner Fuel Limitations:
The fuel combusted by the dryer/mixer burner, hot oil heaters, and all other combustion equipment shall be limited as follows:

(a) Natural gas combusted shall not exceed 180 million cubic per twelve (12) consecutive month period rolled on a monthly basis,

(b) Distillate (#2) combusted shall have a sulfur content less than or equal to 0.50 percent and shall not exceed 1,200,000 gallons per twelve (12) consecutive month period rolled on a monthly basis,

(c) The amount of propane/butane that can be burned shall not exceed 1,800,000 gallons per twelve (12) consecutive month period rolled on a monthly basis,

(d) Waste oils combusted shall have a sulfur content less than or equal to 1 percent and shall not exceed 600,000 gallons per twelve (12) consecutive month period rolled on a monthly basis, or

(e) That fuels allotments in subparts a) through d) of this condition shall be adjusted when combusting more than one fuel per twelve (12) consecutive month period rolled on a monthly basis to maintain emissions below fifty tons. The following equations can be used to make the adjustments:

Nitrogen oxide emission calculation

$$N = \frac{G(E_G)+O(E_O)+P(E_P)+B(E_B)+W(E_W)+D(E_D)}{2{,}000 \text{ lbs/ton}}$$

where:
N=tons of nitrogen oxide emissions for a 12 month consecutive period

Fuel usage
G=cubic feet of natural gas used for the last 12 months
O=gallons of oil used for last 12 months with less than or equal to 0.5% sulfur content
P=gallons of propane used for the last 12 months
B=gallons of butane used for the last 12 months
W=gallons waste oils used for the last 12 months with less than or equal to 1% sulfur content
D=gallons of distillate oil used for the last 12 months for electric generation units

Emission Factors for Nitrogen Oxide
E_G= 280 lb/million cubic feet of natural gas
E_O=24 pounds/1000 gallons of oil
E_P=19 pounds/1000 gallons of propane
E_B=21 pounds/1000 gallons of butane
E_W=19 pounds/1000 gallons of waste oil
E_D=616 pounds/1000 gallons of distillate oil

Sulfur dioxide emission calculation

$$S = \frac{G(E_G)+O(E_O)+(P+B)(E_P)+W(E_W)+D(E_D)}{2{,}000 \text{ lbs/ton}}$$

where:
S=tons of sulfur dioxide emissions for 12 month consecutive period

Fuel Usage
G=cubic feet of natural gas used in last 12 months
O=gallons of oil used in last 12 months with less than or equal to 0.5% sulfur content
P=gallons of propane used in the last 12 months
B=gallons of butane used for the last 12 months
W=gallons of waste oil used in the last 12 months less than or equal to 1% sulfur
D=gallons of distillate oil used in the last 12 months for electric generation units

Emission Factors for Sulfur dioxide
E_G= 0.6 pounds/million cubic feet of natural gas
E_O=71 pounds/1000 gallons of oil
E_P= 0.02 pounds/1000 gallons of propane/butane
E_W=147 pounds /1000 gallons of waste oil
E_D=41 pounds/1000 gallons of distillate oil

Liquid binders used in the production of cold mix asphalt shall be defined as follows:

(a) Cut back asphalt rapid cure, containing a maximum of 25.3% of the liquid binder by weight of VOC (solvent) and 95% by weight of VOC (solvent) evaporating.

(b) Cut back asphalt medium cure, containing a maximum of 28.6% of the liquid binder by weight of VOC (solvent) and 70% by weight of VOC (solvent) evaporating.

(c) Cut back asphalt slow cure, containing a maximum of 20% of the liquid binder by weight of VOC (solvent) and 25% by weight of VOC (solvent) evaporating.

(d) Emulsified asphalt with solvent, containing a maximum of 15% of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC (solvent) in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, must be 7% or less of the total emulsion by volume

(e) Other asphalt with solvent binder, containing a maximum 25.9% of the liquid binder of VOC (solvent) and 2.5% by weight of the VOC (solvent) evaporating

The liquid binder used in cold mix asphalt production shall be limited as follows:

(a) Cutback asphalt rapid cure liquid binder usage shall not exceed 50 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(b) Cutback asphalt medium cure liquid binder usage shall not exceed 68 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(c) Cutback asphalt slow cure liquid binder usage shall not exceed 190 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(d) Emulsified asphalt with solvent liquid binder usage shall not exceed 102 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(e) Other asphalt with solvent liquid binder shall not exceed 1,900 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(f) The VOC solvent allotments in subpart (c)(1) through (c)(5) of Condition D.8 of this permit shall be adjusted when more than one type of binder is used per twelve (12) month consecutive period rolled on a monthly basis. In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.

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

Type of binder	tons VOC solvent	adjustment ratio	tons VOC emitted
cutback asphalt rapid cure		1	
cutback asphalt medium cure		1.36	
cutback asphalt slow cure		3.8	
emulsified asphalt		2.04	
other asphalt		38	

The table below summarizes the potential to emit, reflecting all limits, of the emissions units. Any control equipment is considered enforceable only after issuance of this Federally Enforceable State Operating Permit and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

	Potential to Emit After Issuance (tons/year)						
Process/emission unit	PM	PM-10	SO_2	VOC	CO	NO_X	HAPs
combustion worst case fuel	--------	-------[1]	44.10	0.36	3.60	25.20	----------
aggregate drying/ mixing	100.51[2]	39.00[3]	----------	1.74[4]	----------	----------	1.74
conveying/ handling	0.83	0.08	----------	----------	----------	----------	----------
storage	2.50	0.88	----------	----------	----------	----------	----------
unpaved roads	10.16	3.56	----------	----------	----------	----------	----------
cold mix production	--------	--------	----------	47[5]	----------	----------	----------
Total PTE After Issuance	114.00[6]	43.52	44.10	49.1	3.60	25.20	1.74

1. The PM-10 from combustion is reflected in the results for the aggregate drying.
2. A conservative assumption was made that the source would be operating 8760 hrs/yr with a limited emission rate of 22.95 lbs/hr which is based on 0.03 grains/dscf and a conservative assumption of an exhaust rate of 90,000cfm.
3. The dryer/mixer process exhaust system is limited to less than 0.13 pounds of PM-10 per ton of asphalt mix. The source is limited to producing 600,000 tons of asphalt per twelve consecutive months; therefore, the aggregate drying/ mixing process can only emit 39 tpy of PM-10.
4. VOC emissions from hot aggregate mixing are based on the assumption that the HAP emission are all volatile organic compounds.
5. The tons of VOC solvent used in the production of cold mix per 12 consecutive period is limited so that the VOC emissions are limited to 47 TPY. PM is limited such that two asphalt plants operating under the General FESOP can co-locate and still be below the threshold level for PSD. The other pollutants are limited as well so that two asphalt plants operating under the General FESOP can co-locate and stay below the threshold levels for Title V requirements.

County Attainment Status

Volatile organic compounds (VOC) and oxides of nitrogen (NOx) are precursors for the formation of ozone. Therefore, VOC and NO_X emissions are considered when evaluating the rule applicability relating to the ozone standards. The source will be able to locate in any county that is not designated as Severe Nonattainment. When the general FESOP for asphalt plants was finalized, these counties were Lake and Porter. Therefore, this asphalt plant cannot relocate to Lake or Porter counties.

Federal Rule Applicability

40 CFR 60.90 Subpart I (Standards of Performance for Hot Mix Asphalt Facilities)

The visible emissions from the hot mix asphalt facility shall not exceed twenty (20%) percent opacity. Particulate matter emissions from hot mix asphalt facility shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf).

40 CFR 63, Subpart A (Hazardous Air Pollutants) & 326 IAC 20-1.

This asphalt plant is not subject to any National Emission Standards for Hazardous Air Pollutants (NESHAPs) requirements. Therefore, the General Provisions in 40 CFR 63, Subpart A are not included in this permit.

40 CFR Part 60.116 Subpart Kb (Volatile Liquid Storage Tanks) & 326 IAC 12 & 326 IAC 2-8-18.

Pursuant to New Source Performance Standard (NSPS), 326 IAC 12,(40 CFR Part 60.116b only, Subpart Kb), and 326 IAC 2-8-18, the permittee shall maintain accessible records for the life of storage tank(s). These records shall include:

(a) The date the tank was manufactured,

(b) The dimension of the storage vessel,

(c) An analysis showing the capacity of each storage vessel, and

(d) The vapor pressure of the VOC stores; indicating the minimum true vapor pressure of the VOC is less than 15 kPa.

State Rule Applicability - Entire Source

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

The Permittee was required to prepare and submit a written emergency reduction plan (ERP) by their current general FESOP. Although the Permittee stated that they have submitted their ERP, IDEM, OAQ does not have a copy of their ERP on file. This FESOP includes a requirement to submit their ERP to IDEM, OAQ (see Condition C.15(b)). The Permittee must submit their ERP to IDEM, OAQ.

326 IAC 2-8-4(3)(C) & 326 IAC 2-1.1-11 (General Reporting Requirements)

To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Quarterly Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported. Any deviation from the requirements and the date(s) of each deviation must be reported. The Compliance Monitoring Report shall include the certification by the Authorized Individual, as defined by 326 IAC 2-1.1-1(1).

326 IAC 2-8-4(9) (Preventive Maintenance)

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and its control device. The Preventive Maintenance Plan will be kept on site.

326 IAC 2-8-5(1) (Testing Requirements)

The Permittee shall perform PM and PM-10 testing. The required testing shall be conducted on the following schedule:

(a) New asphalt plants shall be stack tested within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up.

(b) A test for existing plant shall be repeated at least once every seven (7) years. The seven (7) year period shall be from the date of last valid compliance demonstration test.

(c) Existing plants that have not conducted a stack test shall submit a test protocol no later than 180 days after issuance this permit.

Test procedures shall be Methods 5, 9, or 17 (40 CFR 60, Appendix A) for PM and Methods 201 or 201A and 202 (40 CFR 51, Appendix M) for PM-10, or other methods as approved by the Commissioner. The PM-10 emissions includes filterable and condensibles PM-10.

326 IAC 2-8-5(a)(1) (Annual Compliance Certification)
The Permittee shall annually submit a compliance certification report which addresses the status of the sources compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification 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.

326 IAC 2-6 & 326 IAC 2-8-4(3) (Emission Statement)
Permittees located or relocated in Clark, Elkhart, Floyd, Lake, Marion, Porter, St. Joseph and Vanderburgh counties as specified in 326 IAC 2-6-1 shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year).

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

(1) Opacity in Clark, Dearborn, Dubois (Bainbridge Township), Marion, St. Joseph, Vanderburgh and Vigo counties 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 in remaining counties, except Lake County, 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.

(3) 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.

State Rule Applicability - Individual Facilities

236 IAC 6.5-1, 326 IAC 6.8-1 & 326 IAC 2-8-18 (Particulate Matter Emission Limitations)
Pursuant to 326 IAC 6-1-2(a) and 326 IAC 2-8-18(b), the Dryer/Burner Process Stack particulate matter (PM) emissions in the baghouse gas shall not exceed 0.03 grains per dry standard cubic foot.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Operations)
The particulate emissions from the dryer/mixer process exhaust system shall be limited by product production limitations and 326 IAC 6.5-1 or 326 IAC 6.8-1.

326 IAC 8-5-2 (Volatile Organic Compounds)
The VOC solvent used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that no more than 47 tons of VOC are emitted per twelve (12) consecutive months. This shall be achieved by limiting the total VOC solvent of any one selected binder to not exceed the stated limit for that binder during the last twelve (12) months. When more than one binder is used, an adjustment ratio must be applied so that the total VOC emitted does not exceed 47 tons per twelve (12) consecutive month period.

329 IAC 13-8 (Used Oil Requirements)

(a) 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:

(1) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),

(2) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and

(3) Maintain records pursuant to 329 IAC 13-8-6 (Tracking).

(b) The waste oil burned in the dryer/mixer burner shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). The burning of mixtures of used oil and hazardous waste that is regulated by 329 IAC 3.1 is prohibited at this source.

Compliance Requirements

Permits issued under 326 IAC 2-8-18 are required to 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 Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements are applicable to this source are as follows:

(a) Visible emission notations from the dryer/burner stack exhaust shall be performed by a trained employee twice in the morning and twice in the afternoon and recorded. The readings shall be separated by at least 1 hour. 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. The observance of visible emissions, not including condensed water vapor, from the above dryer/ burner exhaust stack or baghouse shall require the implementation of the Compliance Response Plan. The notation records shall indicate when the dryer /burner is not operating during a production day. The days that no production is generated, only one notion shall be required. The Compliance Response Plan for this source shall contain troubleshooting contingency and response steps and response steps that when visible emissions are observed shall be implemented.

(b) The inlet temperature to the baghouse shall be maintained within a range of 200-400 degrees Fahrenheit to prevent overheating of the bags and to prevent low temperatures from mudding up the bags. In the event that bag failure has occurred due to rupture, melting, etc., corrective action shall be taken. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the inlet temperature reading is outside of the above mentioned range for any one reading. The baghouse shall shutdown for visual inspection within 24 hours and bags shall be replaced as needed.

(c) Daily visible emission notations of the conveyers, material transfer points, aggregate storage piles, and unpaved roads shall be performed during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal. 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 shutdown time. 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. 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. The observance of visible emissions, not including condensed water vapor, from the dryer/mixer process exhaust system shall require the implementation of the Compliance Response Plan. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.