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

TO: Interested Parties / Applicant

RE: The Harper Company / 097-23513-5295

FROM: Felicia A. Robinson
Administrator

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 fifteen (15) calendar days of the receipt of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures

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Air Quality Hotline: 317-327-4AIR | knozone.com

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

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

September 15, 2006

VIA CERTIFIED MAIL 7000 0600 0023 5187 9345

Tonia Soale
The Harper Company
1648 Petersburg Road
Herbon, KY 41048

Re: Source Specific Operation Status
S 097-23513-5295

Dear Tonia Soale:

Your application for Source Specific Operation Status was received on August 14, 2006, with additional information received on September 1, 2006, and has been reviewed. Based on the data submitted and the provisions in 326 IAC 2, it has been determined that your emission source, a portable ready-mix concrete batch operation with a Standard Industrial Classification (SIC) code of 1611, located at 3100 South High School Rd. Indianapolis, IN 46241, has met the criteria required to obtain a Source Specific Operating Agreement.

Pursuant to IC 4-21.5-3-5(a) and (b), approval of this Source Specific Operating Agreement shall not be effective until fifteen (15) days from the date of this letter.

The facilities and processes of this source are hereby granted the Source Specific Operating Agreement provided that the following requirements of 326 IAC 2-9 are satisfied:

Section A: Ready-Mix Concrete Batch Operation: [326 IAC 2-9-9]

1. The production from the concrete batch operation shall be limited to less than three hundred thousand (300,000) cubic yards per year.

2. The source shall keep annual production records of the concrete batch operation at the site on a calendar year basis. These records shall be maintained for a minimum period of five (5) years, and made available upon request of the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ), and the Indianapolis Office of Environmental Services (OES).

3. All equipment that generate particulate matter (PM) emissions and any associated control devices shall be operated and maintained at all times of plant operation, in such a manner, as to meet all of the requirements of this Source Specific Operating Agreement.

4. Fugitive particulate emissions from the cement and aggregate silos shall be controlled by operating dust collectors such that visible emissions do not exceed twenty percent (20%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this condition shall be determined by 40 CFR 60, Appendix A, Method 9.

5. The fugitive particulate matter (PM) emissions from all aggregate storage piles, unpaved roadways, and aggregate transfer processes of this source shall be controlled by applying water on an as needed basis, such that the following visible emission conditions are met:

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

(a) The visible emissions from any storage pile shall not exceed twenty percent (20%) in twenty-four (24) consecutive readings in a six (6) minute period. This limitation shall not apply during periods when application of control measures is ineffective or unreasonable due to sustained high wind speeds. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

(b) The visible emissions from unpaved roadways shall not exceed an average instantaneous opacity of twenty percent (20%). Average instantaneous opacity shall be the average of twelve (12) instantaneous opacity readings, taken for four (4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:

(i) The first reading shall be taken at the time of emission generation.
(ii) The second reading shall be taken five (5) seconds after the first.
(iii) The third reading shall be taken five (5) seconds after the second reading, or ten (10) seconds after the first reading.

The three (3) readings shall be taken approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

(c) Visible emissions from the aggregate transferring processes shall not exceed an average instantaneous opacity of twenty percent (20%). The average instantaneous opacity shall be the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) material loading or unloading operation. The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

6. All cement transferring processes shall always be enclosed.

7. The source shall maintain records on the types of air pollution control devices used at the source and the operation and maintenance manuals for those control devices.

8. The fugitive particulate emissions at the sand and gravel operation shall not escape beyond the property lines or boundaries of the source property, right of way, or easement on which the source is located pursuant to 326 IAC 6-4.

Section B: General Requirements: [326 IAC 2-9-1]

1. The source shall provide an annual notice to the commissioner, stating that the source is in operation, and certifying that its operations are in compliance with the requirements of this Source Specific Operating Agreement. The above annual notice shall be submitted to:

IDEM, Office of Air Quality
Compliance Data Section
100 North Senate Avenue
Indianapolis, IN 46204-2251

and

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

no later than January 30 of each year, with the annual notice being submitted in the format attached.

2. Any exceedance of any requirement contained in this operating agreement shall be reported, in writing, within one (1) week of its occurrence. Said report shall include information on the actions taken to correct the exceedance, including measures to reduce emissions, in order to comply with the established limits. If an exceedance is the result of a malfunction, then the provisions of 326 IAC 1-6 apply.

3. Pursuant to 326 IAC 2-9-1(i), the owner or operator is hereby notified that this operating agreement does not relieve the permittee of the responsibility to comply with the provisions of any applicable federal, state, or local rules, or any New Source Performance Standards (NSPS), 40 CFR Part 60, or National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 or 40 CFR Part 63.

Section C: Portable Source Requirement

1. Relocation of Portable Sources [326 IAC 2-14-4] [326 IAC 2-6.1-6(d)(2)]

   (a) This permit is approved for operation in all areas of Indiana. This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A thirty (30) day advance notice of relocation must be given to IDEM, OAQ and VCAPC, and a "Relocation Site Approval" letter must be obtained before relocating.

   (b) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:

      (1) Madison County - (Anderson Office of Air Management)
      (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
      (3) City of Gary - (Gary Division of Air Pollution)
      (4) City of Hammond - (Hammond Department of Environmental Management)
      (5) Marion County - (Indianapolis Air Pollution Control Agency)
      (6) St. Joseph County - (St. Joseph County Health Department)
      (7) Vigo County - (Vigo County Air Pollution Department)

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

Any change or modification which will alter operations in such a way that it will no longer comply with the applicable restrictions and conditions of this operating agreement, must obtain the appropriate approval from the IDEM, OAQ, and OES under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7, and 326 IAC 2-8, before such change may occur.

Sincerely,

Felicia A Robinson

Felicia A. Robinson, Administrator
Office of Environmental Services

cc: file
IDEM, OAQ
OES Compliance
U.S. EPA Region V
Marion County Health Department

wmw

Source Specific Operating Agreement
Annual Notification

This form should be used to comply with the notification requirements under 326 IAC 2-9.

Company Name:	The Harper Company
Address:	3100 South High School Rd.
City:	Indianapolis , Indiana 46241
Contact Person:	Tonia Soale
Phone #:	1-859-586-8890
SSOA #:	S 097-23513-5295

I hereby certify that The Harper Company is still in operation and is in compliance with the requirements of Source Specific Operating Agreement (SSOA) S 097-23513-5295.

Name (typed):
Title:
Signature:
Date: