



*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](http://www.IN.gov/idem)

TO: Interested Parties / Applicant  
DATE: January 12, 2007  
RE: Rush County Stone Company, Inc. / 139-24174-00006  
FROM: Nisha Sizemore  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision: Revocation

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

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

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

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

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

If you have technical questions regarding the enclosed documents, please contact the 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-REV.dot 03/23/06



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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Mr. Daniel T. Crago  
Valley Asphalt Corporation  
11641 Mosteller Road  
Cincinnati, OH 45241

January 12, 2007

Re: 139-24174-00006  
Revocation  
SSOA No.: 139-9972-00006

Dear Mr. Crago:

On September 14, 2006, Valley Asphalt Corporation requested that Rush County Stone Company plant, a crushed stone processing plant, owned and operated by Valley Asphalt Corporation, located at 5556 West SR 244, Milroy, IN 46156, be incorporated into the Federally Enforceable State Operating Permit (FESOP) No.: 139-18283-05243 through a Significant Permit Revision. Additionally, Valley Asphalt Corporation requested that Source Specific Operating Agreement (SSOA) No.: 139-9972-00006, issued to the Rush County Stone Company, be revoked. On January 5, 2007 IDEM issued revocation No.: 139-24075-00006, which revoked Rush County Stone Company's SSOA. The letter indicated that the revocation would take effect 18 days from the date of the letter. However this revocation should not have been issued until the Rush County Stone Company plant was incorporated into the Federally Enforceable State Operating Permit (FESOP) No.: 139-18283-05243 for Valley Asphalt Corporation through a Significant Permit Revision (No.: 139-24058-05243).

This revocation is being issued to withdraw revocation No. 139-24075-00006 that was issued on January 5, 2007, since the Significant Permit Revision No.: 139-24058-05243 has not yet been issued. Therefore, the SSOA for Rush County Stone Company is still required.

Rush County Stone Company shall continue to operate in accordance with the requirements of SSOA No.: 139-9972-00006 until Significant Permit Revision No.: 139-24058-05243 has been issued. Upon issuance of the Significant Permit Revision No.: 139-24058-05243 a revocation letter will be mailed to you to revoke SSOA No.: 139-9972-00006.

Pursuant to 326 IAC 2-1.1-9, any permit to construct or operate or any permit revision approval granted by the commissioner may be revoked for any cause that establishes in the judgement of the commissioner the fact that continuance of the permit or permit revision approval is not consistent with the purposes of 326 IAC 2. The revocation No.: 139-24174-00006 is necessary to revoke revocation No.: 139-24058-05243 so that the Rush County Stone Company has a valid SSOA.

The revocation No.: 139-24075-00006, issued on January 5, 2007, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

If there are any questions about this revocation, please contact Tanya White at (973) 575-2555, ext. 3276, or dial (800) 451-6027, and ask for extension 3-6878.

Sincerely,  
Original signed by

Nisha Sizemore, Chief  
Permits Branch  
Office of Air Quality

TW/EVP

cc: File – Rush County  
Rush County Health Department  
Indianapolis Regional Office  
Air Compliance – D.J. Knotts  
Administration & Development Section  
Contract Management Section- Kim Wade  
Contract Management Section-Barbara VanWinkle  
Billing, Licensing, and Training Section  
Compliance Data Section