



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: March 7, 2007
RE: Hydraulic Press Brick Company / 109-24372-00007
FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

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 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires 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 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-AM.dot 03/23/06



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

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Mr. Mark Thacker
Plant Manager
Hydraulic Press Brick Co.
P.O. Box 7
Brooklyn, IN 46111

March 7, 2007

Re: Temporary Operation Approval
No. 109-24372-00007

Dear Mr. Thacker:

On February 26, 2007, Hydraulic Press Brick Company submitted a letter informing the Office of Air Quality (OAQ) of the intention to perform temporary trial operations to produce a new grade of expanded shale product. The potential to emit of PM10 is less than the major modification threshold of 15 tons per year. Therefore, pursuant to 326 IAC 2-1.1-3(h)(3), IDEM, OAQ is issuing an approval for one (1) Aztec high frequency portable screen for conducting trial operations to evaluate the feasibility of a new product.

Temporary Operation General Information

Units: One (1) Aztec high frequency portable screen with a maximum input of 25 tons per hour.
Location of the Operation: Centerton Road, Brooklyn, IN 46111
County: Morgan
County Status: Nonattainment for PM2.5 and 8-hour Ozone
Attainment for all other criteria pollutants
Purpose: Perform temporary dredging of ash from ash pond
Starting Date of the Operation: At least seven (7) days from the notification date [326 IAC 2-1.1-3(h)(3)(F)]
Duration of the Operation: Less than thirty (30) days actual operation time

Applicable Requirements

Pursuant to 326 IAC 2-1.1-3(h)(3), the above mentioned temporary operation shall satisfy the following requirements:

- (1) The potential emissions from the operation are less than twenty-five (25) tons for the duration of the operation. [326 IAC 2-1.1-3(h)(3)(A)]
(2) The operation is not a major source or modification as defined by 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7. [326 IAC 2-1.1-3(h)(3)(B)]
(3) The purpose of the construction is to temporarily conduct an operation not considered part of the normal operation or production of the facility or source. [326 IAC 2-1.1-3(h)(3)(C)(ii)]
(4) The duration of the temporary operation or experimental trial is less than thirty (30) days

of total operating time. [326 IAC 2-1.1-3(h)(3)(D)]

- (5) The owner or operator shall submit a report containing the following information, at most seven (7) days after concluding the temporary operation: [326 IAC 2-1.1-3(h)(3)(G)]
- (a) The actual start date of the construction, reconstruction, or modification.
 - (b) The duration of the temporary operation or experimental trial.
 - (c) The actual emissions occurring during the temporary operation or experimental trial.

Exemption Expiration Date

This approval expires after thirty (30) days of actual operating time of the temporary operation.

If you have any questions regarding this approval, please contact Robert Henry of my staff at 317-234-5175 or at 1-800-451-6027, extension 4-5175.

Sincerely,

Original signed by

Matthew W. Stuckey, Deputy Branch Chief
Permits Branch
Office of Air Quality

RH

Enclosure: Temporary Operation Report (1 page)

cc: File – Morgan County
Morgan County Health Department
Air Compliance Inspector – Jim Thorpe
Compliance Data Section

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

Temporary Operation Report

Source Name: Hydraulic Press Brick Co.
 Source Location: Centerton Road, Brooklyn, IN 46111
 County: Morgan
 Temporary Operation Exemption No.: 109-24372-00007
 Approval Reviewer: Robert Henry

Milestone Schedule	
Type of unit/operation:	
Actual starting date of the construction:	
Actual ending date of the construction:	
Actual starting date of the operation:	
Actual ending date of the operation:	
Actual number of days of the operation:	
Calculated emissions during the duration of the operation:	
Additional Comments:	

I certify under penalty of law that this report was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

Cc - OAQ Compliance Inspector Jim Thorpe