



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: May 17, 2007
RE: Kentner Creek Stone / 169-24548-00069
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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100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
(317) 232-8603
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William A. Woodard
Kentner Creek Stone, West Plains Mining LLC
P.O. Box 584
Wabash, Indiana 46992

May 17, 2007

Re: Source Specific Operation Status
S169-24548-00069

Dear Mr. Woodard:

Your application for Source Specific Operation Status was received on April 4, 2007, and has been reviewed. Based on the data submitted and the provisions in 326 IAC 2-9-8, it has been determined that your emission source, a crushed stone processing plant located at 6181 W. Old 24, Wabash Indiana 46992, 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 2-9-8 are satisfied:

Section A: Crushed Stone Operation: [326 IAC 2-9-8]

1. The crushed stone operation shall have no more than four (4) crushers, seven (7) screens, and one (1) conveying operation.
2. The crushed stone operation annual throughput shall be less than four hundred thousand (400,000) tons per year.
3. The source shall keep annual throughput records of the crushed stone 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 Office of Air Quality (OAQ).
4. The crushing, screening and conveying operations shall be equipped with dust collectors, unless a wet or continuous wet suppression system is used to comply with conditions 6 and 7.
5. 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.
6. The visible emissions from the screening and conveying operation shall not exceed an average of ten percent (10%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.
7. The visible emissions from the crushing operation shall not exceed an average of fifteen percent (15%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.

8. Fugitive particulate emissions shall be controlled by applying water on storage piles and unpaved roadways on an as needed basis such that the following visible emissions are met:
 - (a) Visible emissions from storage piles 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 are 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 not more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.
 - (b) 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 for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:
 - (i) The first shall be taken at the time of emission generation.
 - (ii) The second shall be taken five (5) seconds after the first.
 - (ii) The third shall be taken five (5) seconds after the second or ten (10) seconds after the first.

The three (3) readings shall be taken at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but not more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

9. Fugitive particulate emissions at the crushed stone plant shall not escape beyond the property line or boundaries of the property, right of way, or easement on which the source is located, pursuant to 326 IAC 6-4
10. If Kentner Creek Stone is subject to the New Source Performance Standard for 40 CFR 60, Subpart OOO and 40 CFR 60.14, which is incorporated by reference as 326 IAC 12, this facility shall comply with the applicable portions.

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:

**Compliance Data Section
Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251**

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.

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 Office of Air Quality (OAQ) 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,

Original Signed By:
Nisha Sizemore, Chief
Permits Branch
Office of Air Quality

ERG/DG

cc: File – Wabash County
Wabash County Health Department
Air Compliance Section Inspector – Ryan Hillman
Permit Tracking
Compliance Data Section
Billing, Licensing, & Training Section - Dan Stamatkin

Source Specific Operating Agreement Annual Notification
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This form should be used to comply with the notification requirements under 326 IAC 2-9.

Company Name:	Kentner Creek Stone, West Plains Mining LLC
Address:	6181 W. Old 24
City:	Wabash
Phone #:	(260) 571-7017
SSOA #:	169-24548-00069

I hereby certify that Kentner Creek Stone, West Plains Mining LLC is still in operation and is in compliance with the requirements of Source Specific Operating Agreement (SSOA) 169-24548-00069.

Name (typed):
Title:
Signature:
Date: