



DATE: November 20, 2007
TO: Interested Parties / Applicant
RE: Indy Railway Service Corporation/ Revocation 097-25508-00265
FROM: Felicia A. Robinson
Administrator

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 Indianapolis Office of Environmental Services, Air Permits at (317) 327-2234.

Enclosures



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



November 20, 2007

Mr. C.T. Morris
President
Indy Railway Service Corporation
P.O. Box 42331
Indianapolis, IN 46242-0331

Certified Mail Number: 7007 0710 0005 3965 7357

Re: 097-25508-00265
Revocation of FESOP No. F097-12273-00265

Dear Mr. Morris:

The application from Indy Railway Service Corporation, received on August 13, 2007, has been reviewed. This letter requested that Indy Railway Service Corporation, located at 6111 West Hanna Avenue, Indianapolis, IN 46241, be allowed to transition from a Federally Enforceable State Operating Permit (FESOP) to a Minor Source Operating Permit (MSOP). The reason for this transition request is because the potential to emit Xylene, a regulated hazardous air pollutant (HAP), is no longer equal to or greater than ten (10) tons per year. As a result, this source no longer requires a FESOP in order to limit the potential to emit single and combined HAP emissions such that 326 IAC 2-7 (Part 70 Permit Program) does not otherwise apply. However, the potential to emit PM, PM10 and VOC from this source is still greater than twenty five (25) tons per year but less than one hundred (100) tons per year. Therefore, the source is now subject to the provisions of 326 2-6.1 (Minor Source Operating Permit Program). Pursuant to 326 IAC 2-6.1, a Minor Source Operating Permit (MSOP) will be issued.

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. Since Indy Railway Service Corporation is transitioning from a FESOP to MSOP, the FESOP is no longer required. Therefore, FESOP Renewal No. F097-12273-00265, issued on June 27, 2002, 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 Mark Caraher of my staff at (317) 327-2272 or call (317) 327-2234.

Sincerely,

ORIGINAL SIGNED BY

Felicia A. Robinson
Administrator

MBC

cc: File
Marion County Health Department
OES Compliance
OAQ:
Administration & Development Section
Contract Management Section- Kim Wade
Contract Management Section-Barbara VanWinkle
Policy Planning & Coordination Section - Chet Bohannon
Compliance Data Section



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Department of Public Works
Office of Environmental Services

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