



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
MC 61-53  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

TO: Interested Parties / Applicant  
DATE: March 3, 2008  
RE: Jarvis Coal, LLC / 153-26061-00025  
FROM: Matthew Stuckey, Deputy Branch 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, Suite N 501E, 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.dot12/3/07



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

Mitchell E. Daniels, Jr.  
Governor

Thomas W. Easterly  
Commissioner

100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

Mr. Dennis Jarvis  
Jarvis Coal, LLC  
12000 Louisville Road  
Terre Haute, Indiana 47802

March 3, 2008

Re: 153-26061-00025  
Third Administrative Amendment to  
Source Specific Operation Status  
S 153-14262-00025

Dear Mr. Jarvis:

Templeton Coal Company was issued a SSOA permit on April 25, 2001, for operation of a coal mine and preparation plant located at County Road 550 E, Hymera, Indiana. Ownership was subsequently transferred to Coal Field Development Co. On February 7, 2008, the Office of Air Quality received a request from Jarvis Coal, LLC, to transfer ownership from Coal Field Development Co., to Jarvis Coal, LLC, at the same location. Pursuant to the provisions of 326 IAC 2-9 the permit is hereby administratively amended.

This administrative amendment acknowledges the transfer of the above mentioned Source Specific Operating Agreement (SSOA) from Coal Field Development Co., to Jarvis Coal, LLC at the same location.

In addition to the change in ownership, the address for this source is revised from County Road 550 E, Hymera, Indiana to 6268 County Road 550 E, Shelburn, Indiana 47879. This source remains in the same location and this revision is a result of renumbering of postal routes by the U.S. Postal Service.

All other conditions of the permit shall remain unchanged and in effect. Please find a copy of the entire SSOA permit with the revisions.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Sandra Carr at 317-234-5377 or at 1-800 451-6027 extension 4-5377.

Sincerely,

*Original signed by*  
Iryn Calilung  
Section Chief  
Permits Branch  
Office of Air Quality

Attachments: Updated Permit

IC/sec

cc: File - Sullivan County  
Sullivan County Health Department

Jarvis Coal, LLC  
Shelburn, Indiana

Administratively Amended by: Sandra Carr  
Third Administrative Amendment  
No. 153-26061-00025

Page 2 of 2  
SSOA No. 153-14262-00025

Air Compliance Section  
Compliance Data Section  
Permits Administrative and Development  
Billing, Licensing and Training Section



Mitchell E. Daniels, Jr.  
Governor

Thomas W. Easterly  
Commissioner

100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

## SOURCE SPECIFIC OPERATING AGREEMENT OFFICE OF AIR QUALITY

**Jarvis Coal, LLC**  
**6268 North County Road 550 East**  
**Shelburn, Indiana 47879**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this SSOA.

This SSOA is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-9 and 40 CFR 52.780, with conditions listed on the attached pages.

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this SSOA, are those applicable at the time the SSOA was issued. The issuance or possession of this SSOA shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.

Source Specific Operating Agreement No. 153-14262-00025	
Original signed/issued by: Paul Dubenetzky  Paul Dubenetzky, Chief Permit Branch Office of Air Quality	Issuance Date: April 25, 2001

First Administrative Amendment No. 153-18119-00025, issued on September 25, 2003.  
Second Administrative Amendment No. 153-20856-00025, issued on April 19, 2005.

Third Administrative Amendment No. 153-26061-00025	
Issued by:  <i>Original signed by</i> Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: March 3, 2008

## SECTION A

## SOURCE SUMMARY

This SSOA is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 and A.2 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits pursuant to 326 IAC 2.

### A.1 General Information

---

The Permittee owns and operates a stationary coal mining and processing plant.

Source Address:	6268 North County Road 550 East, Shelburn, Indiana 47879
Mailing Address:	12000 Louisville Road, Terre Haute, Indiana 47802
General Source Phone Number:	812-383-9900
SIC Code:	1221
County Location:	Sullivan County
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Source Specific Operating Agreement (SSOA) Not 1 of 28 Source Categories

### A.2 Source Summary

---

This stationary source consists of the following:

- (1) Coal Mine, Coal Preparation Plant, or Combination of the Two [326 IAC 2-9-10]

### A.3 SSOA Applicability [326 IAC 2-9-1]

---

- (a) This stationary source, otherwise required to have a permit under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8, has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) for a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.
- (b) Pursuant to 326 IAC 2-9-1(g), the source may apply for up to four (4) different SSOAs contained in 326 IAC 2-9.

## SECTION B

## GENERAL CONDITIONS

### B.1 Prior Permits Superseded [326 IAC 2-1.1-9.5]

---

- (a) All terms and conditions of permits established prior to SSOA No. 153-14262-00025 and issued pursuant to permitting programs approved into the state implementation plan have been either:
- (1) incorporated as originally stated,
  - (2) revised, or
  - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

### B.2 Annual Notification [326 IAC 2-9-1(d)]

---

Pursuant to 326 IAC 2-9-1(d):

- (a) An annual notification shall be submitted by an authorized individual to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this SSOA.
- (b) The annual notice shall be submitted in the format attached no later than January 30 of each year to:
- Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, IN 46204-2251
- (c) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

### B.3 Source Modification Requirement [326 IAC 2-9-1(e)]

---

Pursuant to 326 IAC 2-9-1(e), 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.

### B.4 General Record Keeping Requirements [326 IAC 2-9-1(f)]

---

Pursuant to 326 IAC 2-9-1(f), records of all required monitoring data, reports and support information required by this SSOA shall be physically present or electronically accessible at the source location for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

### B.5 Reporting Requirements [326 IAC 2-9-1(h)]

---

Pursuant to 326 IAC 2-9-1(h), 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.

**B.6 Compliance with Applicable Requirements [326 IAC 2-9-1(i)]**

---

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.

**B.7 SSOA Revocation [326 IAC 2-9-1(j)]**

---

Pursuant to 326 IAC 2-9-1(j), noncompliance with any applicable provision 326 IAC 2-9 or any requirement contained in this SSOA may result in the revocation of this SSOA and make this source subject to the applicable requirements of a major source.

## SECTION C

## OPERATION CONDITIONS

Operation Description: Coal Mine, Coal Preparation Plant, Combination of the Two [326 IAC 2-9-10]

Combination Coal Mine & Coal Preparation Plant

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

### Emission Limitations and Standards

#### C.1 Coal Mine and Coal Preparation Plant Limitations [326 IAC 2-9-10(b)(1)]

Pursuant to 326 IAC 2-9-10(b)(1), the coal mine, coal preparation plant, or combination of the two shall comply with the following:

- (a) the source shall not utilize thermal dryers or pneumatic coal cleaning equipment.
- (b) the source annual amount of coal shipped offsite shall be less than five million (5,000,000) tons per year.

#### C.2 Opacity [326 IAC 2-9-10(b)(1)(B)]

Pursuant to 326 IAC 2-9-10(b)(1)(B), the screening, crushing, and conveying processes at the coal preparation plant shall be enclosed, unless a wet suppression system is used, such that visible emissions shall not exceed an average of twenty (20%) opacity in twenty-four (24) consecutive readings in a six (6) minute period using procedures in 40 CFR 60, Appendix A, Method 9.

#### C.3 Fugitive Emissions [326 IAC 2-9-10(b)(2)] [326 IAC 2-9-10(b)(4)]

- (a) Pursuant to 326 IAC 2-9-10(b)(2), the fugitive particulate matter (PM) emissions from open storage piles, unpaved roadways, and batch transfer processes shall be controlled by applying water or other approved dust suppressant on an as needed basis, such that the following visible emission conditions are met:
  - (1) The visible emissions from the open 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 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.
  - (2) 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:
    - (A) The first reading shall be taken at the time of emission generation.
    - (B) The second reading shall be taken five (5) seconds later.
    - (C) 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 not more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

- (3) The visible emissions from material transfer 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.
- (b) Pursuant to 326 IAC 2-9-10(b)(4), the fugitive emissions from the coal mine and coal preparation operation 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.

### Compliance Determination Requirements

C.4 Visible Emissions [326 IAC 2-9-10(b)(3)]

---

Pursuant to 326 IAC 2-9-10(b)(3), All visible emission readings taken, shall be performed by a qualified observer, as defined in 326 IAC 1-2-62.

### Record Keeping and Reporting Requirements

C.5 Record Keeping Requirements [326 IAC 2-9-10(b)(1)(A)]

---

Pursuant to 326 IAC 2-9-10(b)(1)(A), the source shall keep and maintain at the site, records of the total annual throughput for the previous twelve (12) months, based on a monthly rolling total. All records shall be maintained in accordance with Condition B.4 - General Record Keeping Requirements.

C.6 Reporting Requirement [326 IAC 2-9-10(b)(5)]

---

Pursuant to 326 IAC 2-9-10(b)(5), the source shall include with the annual notice required in Condition B.2 - Annual Notification a legal description of the source's location.

### Annual Fee Requirement

C.7 Annual Fee Requirement [326 IAC 2-9-10(b)(6)]

---

Pursuant to 326 IAC 2-9-10(b)(6), the source shall submit an annual fee of seven hundred fifty dollars (\$750) to

Cashier  
Office of Air Quality  
100 North Senate Avenue  
MC 50-10C IGCN 1324  
Indianapolis, IN 46204-2251

no later than January 30 of each year.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH**

**SOURCE SPECIFIC OPERATING AGREEMENT (SSOA)  
ANNUAL NOTIFICATION**

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

<b>Company Name:</b>	Jarvis Coal, LLC
<b>Address:</b>	6268 North County Road 550 East
<b>City:</b>	Shelburn, Indiana 47879
<b>Phone #:</b>	812-383-9900
<b>SSOA #:</b>	153-26061-00025

I hereby certify that Jarvis Coal, LLC is :

still in operation.

I hereby certify that Jarvis Coal, LLC is :

no longer in operation.

in compliance with the requirements  
of SSOA 153-26061-00025.

not in compliance with the requirements  
of SSOA 153-26061-00025.

<b>Authorized Individual (typed):</b>
<b>Title:</b>
<b>Signature:</b>
<b>Date:</b>

If there are any conditions or requirements for which the source is not in compliance, provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be achieved.

<b>Noncompliance:</b>