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

TO: Interested Parties / Applicant

DATE: February 19, 2008

RE: United Minerals, LLC / 173-26067-00044

FROM: Matthew Stuckey, Deputy Branch 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, Suite N 501E, 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.dot12/03/07

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Indianapolis, Indiana 46204-2251
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SOURCE SPECIFIC OPERATING AGREEMENT
OFFICE OF AIR QUALITY

United Minerals Co, LLC
St Rd. 61 & 850 North, North St Rd. 61
Boonville, IN 47601

(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. 173-26067-00044	
Issued by: Original Signed By: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: February 19, 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 combination coal mine and preparation plant.

Source Address:	St Rd. 61 & 850 North, North St Rd. 61, Boonville, IN 47601
Mailing Address:	409 Van Buren Street, PO Box 400, Huntingburg, IN 47542
General Source Phone Number:	(812) 683-5024
SIC Code:	1241
County Location:	Warrick 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) Combination Coal Mine and Coal Preparation Plant [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. 173-26067-00044 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: Combination Coal Mine and Coal Preparation Plant [326 IAC 2-9-10]

(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.

Company Name:	United Minerals Co. LLC
Address:	St Rd. 61 & 850 North, North St Rd. 61
City:	Boonville, IN 47601
Phone #:	(812) 683-5024
SSOA #:	173-26067-00044

I hereby certify that United Minerals Co. LLC is :
- ☐ still in operation.
- ☐ no longer in operation.

I hereby certify that United Minerals Co. LLC is :
- ☐ in compliance with the requirements of SSOA 173-26067-00044.
- ☐ not in compliance with the requirements of SSOA 173-26067-00044.

Authorized Individual (typed):
Title:
Signature:
Date:

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.

Noncompliance: