



DATE: April 21, 2008

TO: Interested Parties / Applicant

RE: Milestone Contractors, L.P. / 097-26388-00086

FROM: Timothy J. Method
Environmental Coordinator

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 501, 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

April 21, 2008



Robert J. Beyke
Milestone Contractors, L.P.
5950 South Belmont Avenue
Indianapolis, IN 46217

Certified Mail Number: 7007 0710 0005 3965 6817

Re: 097-26388-00086
Second Administrative Amendment to
F097-15740-00086

Dear Mr. Beyke:

Milestone Contractors, L.P. was issued a Federally Enforceable State Operating Permit (FESOP) Renewal No. F097-15740-00086 on January 19, 2006 for two stationary hot mix asphalt plants located at 4202/4506 South Harding Street, Indianapolis, Indiana. On January 25, 2008, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and the City of Indianapolis Office of Environmental Services (OES) received an application from the source requesting that the FESOP Renewal permit term be extended to ten (10) years. A First Administrative Amendment was issued on February 1, 2008. However the wrong permit document was modified and, therefore, the First Administrative Amendment 097-25979-00086 was revoked on April 15, 2008.

This Second Administrative Amendment accurately addresses the changes from the First Administrative Amendment. On December 16, 2007, rule revisions to 326 IAC 2-1.1-9 and 326 IAC 2-8-4 were finalized allowing for ten (10) year permit terms on FESOP renewals. IDEM and OES have determined that this change to the permit will be processed as an administrative amendment pursuant to 326 IAC 2-8-10. Also, IDEM, OAQ and OES have decided to update the IDEM addresses, remove the name of the authorized individual, update IDEM phone numbers, clarify permit term conditions in C.19, and update the county attainment status in the permit. Pursuant to the provisions of 326 IAC 2-8-10, the permit is hereby administratively amended as follows with the deleted language as ~~strikeouts~~ and new language **bolded**.

1. The expiration date on the cover page has been extended by five (5) years as follows:

Issuance Date: January 19, 2006
Expiration Date: ~~January 18, 2011~~ **January 19, 2016**

2. Condition B.3 has been revised to reflect the ten (10) year permit term.

B.3 Permit Term [326 IAC 2-8-4(2)] [326 IAC 2-1.1-9.5]

(a) This permit, **F097-15740-00086**, is issued for a fixed term of ~~five (5)~~ **ten (10)** years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

(b) If IDEM, OAQ, and OES upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.



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3. All occurrences of IDEM's mailing addresses have been updated in the permit. All addresses have been revised to include a mail code (MC) as follows:

Asbestos Section:	MC 61-52 IGCN 1003
Compliance Branch:	MC 61-53 IGCN 1003
Permits Branch:	MC 61-53 IGCN 1003
Technical Support and Modeling Section:	MC 61-50 IGCN 1003

4. IDEM has begun implementing a new procedure and will no longer list the name or title of the Authorized Individual (A.I.) in the permit document. The document also reflects the change in attainment status for Marion County regarding criteria pollutants. Section A.1 is updated as follows:

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary hot mix asphalt plant.

Authorized individual:	Vice President Plants
Source Address:	4202 South Harding Street, Indianapolis, Indiana, 46217
Mailing Address:	5950 South Belmont Avenue, Indianapolis, Indiana, 46217
General Source Phone:	(317) 788-6885
SIC Code:	2951
Source Location Status:	Marion County Nonattainment for PM2.5 Nonattainment for the 8-hour ozone standard
Source Status:	Attainment for all other criteria pollutants Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD and Emission Offset Rules and Nonattainment NSR; Minor Source, Section 112 of the Clean Air Act

5. IDEM and OES have decided to include the following update to further address and clarify the permit terms and the terms of the conditions.

C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

...

(g) ~~Indiana Accredited Licensed~~ Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana ~~Accredited Licensed~~ Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana ~~Accredited Licensed~~ Asbestos inspector is not federally enforceable.

C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4] [326 IAC 2-8-5]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in ~~one hundred and twenty~~ **one hundred twenty** (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
 - (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.
6. All occurrences of the Compliance Data Branch telephone and facsimile numbers have been revised to 317-233-~~5674~~ **0178** and 317-233-~~5967~~ **6865**, respectively.

All other conditions of the permit shall remain unchanged and in effect. Attached please find the entire revised permit.

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 Craig Tapscott at 317-327-2267.

Sincerely,

Original Signed By

Timothy J. Method
Environmental Coordinator
Department of Public Works

Attachments-Administrative Amendment 097-26388-00086

cc: OES Files - 2 copies
Compliance - Matt Mosier
USEPA - R5
Marion County Health Dept.
IDEM, Mindy Hahn



**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP) RENEWAL
OFFICE OF AIR QUALITY
and
CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES**

**Milestone Contractors, L.P.
4202 South Harding Street
Indianapolis, Indiana 46217**

(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 permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provision of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; and denial of a permit renewal application. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F097-15740-00086	
Original signed by: Felicia A. Robinson Manager of Environmental Planning Office of Environmental Services	Issuance Date: January 19, 2006 Expiration Date: January 19, 2016
First Administrative Amendment 097-25979-00086	Issued on: February 1, 2008, Revoked on April 15, 2008
Second Administrative Amendment 097-26388-00086	Conditions Affected: Entire Permit
Issued by: Original Signed By Timothy J. Method, Environmental Coordinator Department of Public Works	Issuance Date: April 21, 2008 Expiration Date: January 19, 2016



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**Department of Public Works
Office of Environmental Services**

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and the City of Indianapolis Office of Environmental Services (OES). The information describing the source contained in conditions A.1, A.3, and A.4 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 or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary hot mix asphalt plant.

Source Address:	4202 South Harding Street, Indianapolis, Indiana, 46217
Mailing Address:	5950 South Belmont Avenue, Indianapolis, Indiana, 46217
General Source Phone:	(317) 788-6885
SIC Code:	2951
Source Location Status:	Marion County Nonattainment for PM2.5 Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD and Nonattainment NSR; Minor Source, Section 112 of the Clean Air Act

A.2 Source Definition [326 IAC 2-8-1] [326 IAC 2-7-1(22)]

This source consists of two (2) stationary asphalt plants:

- (a) Plant 11 (ID No. 097-00086) is located at 4202 South Harding Street, Indianapolis, Indiana 46217; and
- (b) Plant 17 (previously owned by Hanson Aggregates, ID No. 097-05160) is located at 4506 South Harding Street, Indianapolis, Indiana 46217.

Since the two (2) plants are located in contiguous properties, have the same SIC code and are commonly owned and/or operated by one (1) company, Milestone Contractors, L.P., they will be considered one (1) source.

Because the two asphalt plants are stationary asphalt plants, the source requested that the two (2) plants be combined under one (1) FESOP which was permitted under First Significant Permit Revision, 097-12866-00086, issued May 9, 2002.

A.3 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

- (a) One (1) drum mix asphalt plant, identified as Unit ID 2, installed in March 1993, with a maximum rated capacity of 500 tons per hour, equipped with one (1) 135 mmBtu/hr natural gas-fired burner, with virgin No. 2 distillate fuel oil and re-refined waste oil as back-up fuels, with particulate emissions controlled by one (1) knock out box and one (1) baghouse rated at 85,000 acfm, exhausting at one (1) stack (Stack ID: 1);

- (b) One (1) drum mix asphalt plant, identified as Unit ID 02(01), with a maximum capacity of 350 tons per hour, equipped with one (1) 130 mmBtu/hr natural gas-fired burner, installed in 1996, with virgin No. 2 distillate fuel oil and re-refined waste oil as back-up fuels, with particulate emissions controlled by one (1) baghouse, exhausting through one (1) stack (Stack ID: 01);
- (c) cold-mix (stockpile mix) asphalt storage piles.

A.4 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Natural gas-fired combustion sources with a heat input equal to or less than 10 MMBTU/hr.
 - (1) Two (2) Gentec hot oil heaters, fired by natural gas and each rated at 2.2 MMBTU/hr. The heaters each exhaust at stack/vent ID 5 and (04), respectively.
- (b) Propane or liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than 6 MMBTU/hr.
- (c) Fuel oil-fired combustion sources with heat input equal to or less than 2 MMBTU/hr and firing fuel containing less than 0.5 percent sulfur by weight.
- (d) Combustion source flame safety purging on startup.
- (e) A gasoline fuel transfer and dispensing operation handling less than or equal to 1,300 gallons per day, such as filling of tanks, locomotives, automobiles, having a storage capacity less than or equal to 10,500 gallons.
- (f) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
- (g) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (h) Application of oils, greases, lubricants, or other nonvolatile materials applied as temporary protective coatings.
- (i) Cleaners and solvents characterized as follows: (a) having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100°F) or; (b) having a vapor pressure equal to or less than 0.7 kPa; 5 mm Hg; or 0.1 psi measured at 20°C (68°F); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (j) Closed loop heating and cooling systems.
- (k) Replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment.
- (l) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]
- (m) A laboratory as defined in 326 IAC 2-7-1(21)(D).
- (n) One (1) 30,000 gallon asphalt cement storage tank, with maximum true vapor pressure less than 15.0 kPa, installed in 1992.

- (o) One (1) 30,000 gallon waste oil storage tank, with a maximum true vapor pressure less than 15.0 kPa, installed in 2001.
- (p) One (1) 22,000 gallon asphalt cement storage tank, with maximum true vapor pressure less than 15.0 kPa, installed in 1999.
- (q) Four (4) 20,000 gallon asphalt cement storage tanks, each with maximum true vapor pressure less than 15.0 kPa, installed in 1996 (2) and 2004 (2).
- (r) One (1) 20,000 gallon waste oil storage tank, with a maximum true vapor pressure less than 15.0 kPa, installed in 2001.
- (s) One (1) 10,000 gallon asphalt emulsion storage tank, with maximum true vapor pressure less than 15.0 kPa, installed in 1992.
- (t) One (1) 10,000 gallon No. 2 fuel oil storage tank, with maximum true vapor pressure less than 15.0 kPa, installed in 2001.
- (u) One (1) 7,000 gallon No. 2 fuel oil storage tank, with maximum true vapor pressure less than 15.0 kPa, installed in 2001.
- (v) One (1) 1,000 gallon calibration tank to hold liquid asphalt cement for approximately 30 minutes, once per month, installed in 2003.
- (w) Aggregate Stock Piles and Handling, identified as 01(01), using no equipment as control, and not exhausting to a stack.
- (x) Receiving Bins/Screening/Conveying, identified as 01(04), using no equipment as control, and not exhausting to a stack.
- (y) Product Storage Bins, identified as 02(02), using no equipment as control, and not exhausting to a stack.
- (z) Truck Loadout, identified as 02(03), using no equipment as control, and not exhausting to a stack.
- (aa) Asphalt Tank and Heater, identified as 02(04), using no equipment as control, and not exhausting to a stack.
- (bb) Haulroad and Yard Area, identified as 01(05), using no equipment as control, and not exhausting to a stack.

A.5 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) to renew a Federally Enforceable State Operating Permit (FESOP).

A.6 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this permit.

SECTION B GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

B.2 Definitions [326 IAC 2-8-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2, and 326 IAC 2-7) shall prevail.

B.3 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5]

- (a) This permit, F097-15740-00086, is issued for a fixed term of ten (10) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.
- (b) If IDEM, OAQ, and OES upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.4 Enforceability [326 IAC 2-8-6]

- (a) Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM and OES, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.
- (b) Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by OES.

B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.6 Severability [326 IAC 2-8-4(4)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

B.8 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and OES may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ, and OES copies of records required to be kept by this permit.

- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1 when furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ and OES may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.10 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.11 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 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, Indiana 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

- (b) The annual compliance certification report required by this permit 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, and OES on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

- (2) The compliance status;
- (3) Whether compliance was continuous or intermittent;
- (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
- (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, and OES may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.12 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs), including the following information on each facility:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and OES. IDEM, OAQ, and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.13 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;

- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ and OES, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;
Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone No.: 317-233-0178 (ask for Compliance Section)
Facsimile No.: 317-233-6865

OES
Telephone No.: 317-327-2234
Facsimile No.: 317-327-2274

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, and OES, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ and OES, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

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

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ or OES determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAQ or OES, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ or OES, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ or OES, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.16 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and OES and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

(b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]

(1) A timely renewal application is one that is:

(A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

(B) 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, and OES on or before the date it is due.

(2) If IDEM, OAQ and OES upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.

(c) Right to Operate After Application for Renewal [326 IAC 2-8-9]

If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ and OES takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ and OES, any additional information identified as needed to process the application.

B.17 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

(a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

Any such application shall be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-8-15(b) through (d). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ and OES in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.19 Permit Revision Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

B.20 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, OES, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.21 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

The application which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.22 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.23 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emissions Limitations and Standards [326 IAC 2-8-4(1)]

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.2 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable;
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) Pursuant to 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)), potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.4 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

C.6 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plans submitted on May 28, 1998 for Unit ID 2 and October 29, 1997 for Unit ID 02(01). The plans are included as Attachment A.

C.8 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue
MC 61-52 IGCN 1003
Indianapolis, Indiana 46204-2251

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-8-4(3)]

C.10 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

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

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and OES, if the Permittee submits to IDEM, OAQ, and OES a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.11 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

C.12 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented upon issuance of this permit. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.

Unless otherwise specified in the approval for the new emissions unit, compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

C.13 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63 or other approved methods as specified in this permit.

C.14 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on March 15, 1996.
- (b) Upon direct notification by IDEM, OAQ and OES, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.16 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.17 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
 - (1) monitoring results;

- (2) review of operation and maintenance procedures and records;
- (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
 - (1) monitoring data;
 - (2) monitor performance data, if applicable; and
 - (3) corrective actions taken.

C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.19 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.20 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period.

The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "authorized individual" as defined by 326 IAC2-1.1-1(1).

- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

and

City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit 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, and OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

Stratospheric Ozone Protection

C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156
- (b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (a) One (1) drum mix asphalt plant, identified as Unit ID 2, installed in March 1993, with a maximum rated capacity of 500 tons per hour, equipped with one (1) 135 mmBtu/hr natural gas-fired burner, with virgin No. 2 distillate fuel oil and re-refined waste oil as back-up fuels, with particulate emissions controlled by one (1) knock out box and one (1) baghouse rated at 85,000 acfm, exhausting at one (1) stack (Stack ID: 1);
- (b) One (1) drum mix asphalt plant, identified as Unit ID 02(01), with a maximum capacity of 350 tons per hour, equipped with one (1) 130 mmBtu/hr natural gas-fired burner, installed in 1996, with virgin No. 2 distillate fuel oil and re-refined waste oil as back-up fuels, with particulate emissions controlled by one (1) baghouse, exhausting through one (1) stack (Stack ID: 01).

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

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.1.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR Part 60, Subpart I.

D.1.2 Particulate Matter (PM) [326 IAC 12] [40 CFR 60.90, Subpart I]

Pursuant to 326 IAC 12, (40 CFR Part 60.90, Subpart I) "Standards of Performance for Hot Mix Asphalt Facilities", the particulate matter emissions from the aggregate mixing and drying operation (Emission Unit ID 2) and the aggregate mixing and drying operation (Emission Unit ID 02(01)) shall each be limited to 0.04 grains per dry standard cubic foot (gr/dscf). Compliance with condition D.1.4 will satisfy this requirement.

D.1.3 Opacity [326 IAC 12] [40 CFR 60.90, Subpart I]

Pursuant to 326 IAC 12, (40 CFR Part 60.92, Subpart I) "Standards of Performance for Hot Mix Asphalt Facilities", the aggregate mixing and drying operations shall not discharge or cause the discharge into the atmosphere any gases which exhibit 20% opacity or greater.

D.1.4 Particulate Matter (PM) [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2(a) (formerly 326 IAC 6-1-2(a)) (Nonattainment Area Particulate Limitations), particulate matter (PM) emissions from the aggregate mixing and drying operation (Emission Unit ID 2) and the aggregate mixing and drying operation (Emission Unit ID 02(01)) shall each be limited to 0.03 grains per dry standard cubic foot (gr/dscf). Compliance with this limit will also demonstrate compliance with the PM emission limit pursuant to 40 CFR 60.90, Subpart I.

D.1.5 PSD Minor Limit [326 IAC 2-2]

Particulate matter emissions from each of the aggregate mixing and drying operations (Emission Unit ID 2 and Emission Unit ID 02(01)) shall not exceed 0.049 pound PM per ton of asphalt mix. This is equivalent to a PM emission limit of 24.5 pounds per hour for Unit ID 2 based on a maximum throughput of 500 tons of asphalt mix per hour and a PM emission limit of 17.15 pounds per hour for Unit ID 02(01) based on a maximum throughput of 350 tons of asphalt mix per hour. Based on 8,760 hours of operation per 12 consecutive month period, this limits total PM emissions from the aggregate mixing and drying operations to less than 182.43 tons per year for a source-wide total potential to emit of less than 250 tons per year.

Therefore, compliance with this limit will render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.6 Particulate Matter 10 Microns (PM-10) [326 IAC 2-8-4][326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, particulate matter 10 microns emissions from each of the aggregate mixing and drying operations (Emission Unit ID 2 and Emission Unit ID 02(01)) shall not exceed 0.0226 pound of PM-10 per ton of asphalt mix. This is equivalent to a PM10 emission limit of 11.3 pounds per hour for Unit ID 2 based on a maximum throughput of 500 tons of asphalt mix per hour and a PM10 emission limit of 7.91 pounds per hour for Unit ID 02(01) based on a maximum throughput of 350 tons of asphalt mix per hour. Compliance with this limit will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.7 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1][326 IAC 7-2-1]

- (a) Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from each of the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers shall be limited to 0.5 pounds per million Btu heat input or a sulfur content of less than or equal to 0.5 percent when using distillate oil.
- (b) Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 135 MMBtu per hour and 130 MMBtu per hour burners for each of the aggregate dryers shall be limited to 1.6 pounds per million Btu heat input or a sulfur content of less than or equal to 1.3 percent when using re-refined waste oil. The source has accepted a sulfur content limit of 0.75 percent for re-refined waste oil.
- (c) Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.

D.1.8 Re-refined Waste Oil and Equivalent Usage, Sulfur Dioxide (SO₂) [326 IAC 2-8-4][326 IAC 2-2]

Pursuant to 326 IAC 2-8-4(1), the following limits shall apply:

- (a) the sulfur content of the re-refined waste oil used in the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers shall not exceed 0.75 percent.
- (b) the combined usage of re-refined waste oil with a sulfur content of 0.75% and re-refined waste oil equivalents in the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers shall be limited to 1,795,737 U.S. gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, so that source-wide SO₂ emissions are limited below 100 tons per year.
- (c) For purposes of determining compliance, the following shall apply:
 - (1) every 1,000 gallons of No. 2 distillate fuel oil burned in the aggregate dryer burners shall be equivalent to 712 gallons of re-refined waste oil based on SO₂ emissions and a maximum sulfur content of 0.5% such that the total gallons of re-refined waste oil and re-refined waste oil equivalent input does not exceed the limit specified.
 - (2) every MMCF of natural gas burned in the aggregate dryer burners shall be equivalent to 5.4 gallons of re-refined waste oil based on SO₂ emissions such that the total gallons of re-refined waste oil and re-refined waste oil equivalent input does not exceed the limit specified.

Therefore, the requirements of 326 IAC 2-7 will not apply. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.9 Natural Gas and Equivalent Usage, Oxides of Nitrogen (NO_x) [326 IAC 2-8-4][326 IAC 2-2][326 IAC 2-3]

Pursuant to 326 IAC 2-8-4(1), the following limits shall apply:

- (a) the combined usage of natural gas and natural gas equivalents in the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers shall be limited to 693.4 million cubic feet (MMcf) per twelve (12) consecutive month period, with compliance determined at the end of each month, so that source-wide NO_x emissions are limited below 100 tons per year.
- (b) For purposes of determining compliance, the following shall apply:
 - (1) every 1,000 gallons of No. 2 distillate fuel oil burned in the aggregate dryer burners shall be equivalent to 0.0857 MMCF of natural gas based on NO_x emissions such that the total MMCF of natural gas and natural gas equivalents input does not exceed the limit specified.
 - (2) every 1,000 gallons of re-refined waste oil burned in the aggregate dryer burners shall be equivalent to 0.0679 MMCF of natural gas based on NO_x emissions such that the total MMCF of natural gas and natural gas equivalents input does not exceed the limit specified.

Therefore, the requirements of 326 IAC 2-7 will not apply. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable.

D.1.10 Hazardous Air Pollutants (HAPs) [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4, the total amount of hot mix asphalt produced by the source shall not exceed 5,711,520 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. This will limit HAP emissions to less than ten (10) tons per year of any single HAP and to less than twenty five (25) tons per year of any combination of HAP.

Compliance with this limitation makes 326 IAC 2-7 (Part 70 Permit Program) not applicable.

D.1.11 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and any control devices.

Compliance Determination Requirements

D.1.12 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

- (a) During the period between May, 2005 and November, 2005, in order to demonstrate compliance with Conditions D.1.2, D.1.4, D.1.5, and D.1.6 the Permittee shall perform PM and PM-10 testing on Stack 1 utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10. Testing shall be conducted in accordance with Section C- Performance Testing.
- (b) During the period between May, 2007 and November, 2007, in order to demonstrate compliance with Conditions D.1.2, D.1.4, D.1.5, and D.1.6 the Permittee shall perform PM and PM-10 testing on Stack 01 utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10. Testing shall be conducted in accordance with Section C- Performance Testing.

- (c) During the period between May, 2005 and November, 2005, in order to demonstrate compliance with Condition D.1.3, the Permittee shall perform opacity testing on Stack 1 utilizing 40 CFR Part 60 Appendix A, Method 9. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.
- (d) During the period between May, 2007 and November, 2007, in order to demonstrate compliance with Condition D.1.3, the Permittee shall perform opacity testing on Stack 01 utilizing 40 CFR Part 60 Appendix A, Method 9. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.13 Sulfur Dioxide Emissions and Sulfur Content

Compliance with Conditions D.1.7 and D.1.8 shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed five-tenths (0.5) pounds per million Btu heat input when burning No. 2 distillate fuel oil and 1.6 pounds per million Btu heat input when burning re-refined waste oil by:
 - (1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or
 - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

D.1.14 Particulate Matter (PM)

- (a) In order to comply with conditions D.1.2, D.1.3, D.1.4, D.1.5, and D.1.6, the baghouses for PM and PM10 control shall be in operation and control emissions at all times when the aggregate mixing and drying operations (Emission Unit ID 2 and Emission Unit ID 02(01)) are in operation.
- (b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

D.1.15 HAP Emissions

In order to determine compliance with condition D.1.10, the HAP emission factors from U.S. EPA's AP-42, 5th Edition, Section 11.1 – Hot Mix Asphalt Plants, Table 11.1-10 for a drum mix dryer combusting No. 2 fuel oil shall be used to determine HAP emissions.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.16 Visible Emissions Notations

- (a) Daily visible emission notations of the aggregate dryer/burner (Emission Unit ID 2) baghouse stack exhaust (Stack 1) and the aggregate dryer/burner (Emission Unit ID 02(01)) baghouse stack exhaust (Stack 01), and the conveyors, transfer points, and screening shall be performed during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.17 Parametric Monitoring

The Permittee shall record the pressure drop across each of the baghouses used in conjunction with the aggregate mixing and drying operations, at least once per day when the aggregate mixing and drying operations are in operation when venting to the atmosphere. When for any one reading, the pressure drop across either of the baghouses is outside the normal range of 1.0 and 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and OES and shall be calibrated at least once every six (6) months.

D.1.18 Broken or Failed Bag Detection

- (a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the emissions unit. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse=s pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.19 Record Keeping Requirements

(a) To document compliance with Conditions D.1.7, D.1.8, and D.1.9, the Permittee shall maintain records in accordance with (1) through (7) below.

- (1) Calendar dates covered in the compliance determination period;
- (2) Actual re-refined waste oil and re-refined waste oil equivalent usage per month since last compliance determination period and equivalent SO₂ emissions;
- (3) Actual natural gas and natural gas equivalent usage per month since last compliance determination period and equivalent NO_x emissions;
- (4) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:

- (5) Fuel supplier certifications.
- (6) The name of the fuel supplier; and
- (7) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (b) To document compliance with condition D.1.10, the Permittee shall maintain records of the amount of hot mix asphalt produced by the source each month.
- (c) The Permittee shall maintain records sufficient to verify compliance with the procedures specified in condition D.1.13. Records shall be maintained for a period of five (5) years and shall be made available upon request by IDEM and/or OES.
- (d) To document compliance with Condition D.1.16, the Permittee shall maintain records of daily visible emission notations of the aggregate dryer/burner (Emission Unit ID 2) baghouse stack exhaust (Stack 1), the aggregate dryer/burner (Emission Unit ID 02(01)) baghouse stack exhaust (Stack 01), and the conveyors, transfer points, and screening.
- (e) To document compliance with Condition D.1.17, the Permittee shall maintain daily records of the pressure drop during normal operation.
- (f) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.20 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.8, D.1.9, and D.1.10 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (c) cold-mix (stockpile mix) asphalt storage piles.

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

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.2.1 Volatile Organic Compounds (VOCs) [326 IAC 8-5-2] [326 IAC 2-8-4][326 IAC 2-3][326 IAC 2-2]

- (a) Pursuant to 326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving), the use of cutback asphalt or asphalt emulsion shall not contain more than seven percent (7%) oil distillate by volume of emulsion for any paving application except the following purposes:

- (1) penetrating prime coating
- (2) stockpile storage
- (3) application during the months of November, December, January, February and March.

- (b) Gelled asphalt with VOC solvent liquid binder used in the production of cold mix asphalt shall not exceed 2,884 tons of VOC solvent per twelve (12) consecutive month period, with compliance determined at the end of each month. This is equivalent to limiting the VOC emitted from solvent use to 72.09 tons per twelve (12) consecutive month period and source-wide VOC emissions to less than 100 tons per year, based on the following definition:

Other asphalt with solvent binder, containing a maximum 25.9% of the liquid binder of VOC solvent and 2.5% by weight of the VOC solvent evaporating.

Therefore, the requirements of 326 IAC 2-7 will not apply. This limit will also render 326 IAC 2-3 (Emission Offset) and 326 IAC 2-2 (PSD) not applicable.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.2.2 Record Keeping Requirements

To document compliance with Condition D.2.1(b), the Permittee shall maintain records in accordance with (a) through (d) below. Records maintained for (a) through (d) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC emission limit established in Condition D.2.1(b).

- (a) Calendar dates covered in the compliance determination period;
- (b) Gelled asphalt binder usage per month since the last compliance determination period;
- (c) VOC solvent content by weight of the gelled asphalt binder used each month; and
- (d) Amount of VOC solvent used in the production of cold mix asphalt, and the amount of VOC emitted each month.

All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.3 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1(b) shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
and
CITY OF INDIANAPOLIS
OFFICE of ENVIRONMENTAL SERVICES**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: Milestone Contractors, L.P.
Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
FESOP No.: 097-15740-00086

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify)_____
- Report (specify)_____
- Notification (specify)_____
- Affidavit (specify)_____
- Other (specify)_____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865
and
CITY OF INDIANAPOLIS
OFFICE of ENVIRONMENTAL SERVICES
DATA COMPLIANCE
2700 South Belmont Avenue
Indianapolis, Indiana 46221
Phone:317-327-2234
Fax:317-327-2274**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT**

Source Name: Milestone Contractors, L.P.
Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
FESOP No.: 097-15740-00086

This form consists of 2 pages

Page 1 of 2

- This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____
Title / Position: _____
Date: _____
Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 and
 CITY OF INDIANAPOLIS
 OFFICE of ENVIRONMENTAL SERVICES**

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
 Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
 Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
 FESOP No.: 097-15740-00086
 Facility: 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers
 Parameter: Re-refined waste oil and equivalent usage limit to limit SO₂ emissions
 Limit: The combined usage of re-refined waste oil with a sulfur content of 0.75% and re-refined waste oil equivalents in the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers shall be limited to 1,795,737 U.S. gallons per twelve (12) consecutive month period, with compliance determined at the end of each month.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Re-refined waste oil and equivalent usage this month (gallons)	Re-refined waste oil and equivalent usage previous 11 months (gallons)	12 Month Total Re-refined waste oil and equivalent usage (gallons)
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
 Deviation has been reported on: _____

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 and
 CITY OF INDIANAPOLIS
 OFFICE of ENVIRONMENTAL SERVICES**

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
 Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
 Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
 FESOP No.: 097-15740-00086
 Facility: 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers
 Parameter: Natural gas and equivalent usage limit to limit NOx emissions
 Limit: The combined usage of natural gas and natural gas equivalents in the 135 MMBtu per hour and 130 MMBtu per hour burners for the aggregate dryers shall be limited to 693.4 million cubic feet (MMcf) per twelve (12) consecutive month period, with compliance determined at the end of each month.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Natural gas and equivalent usage this month (MMcf)	Natural gas and equivalent usage previous 11 months (MMcf)	12 Month Total Natural gas and equivalent usage (MMcf)
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
 Deviation has been reported on: _____

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
and
CITY OF INDIANAPOLIS
OFFICE of ENVIRONMENTAL SERVICES**

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
FESOP No.: 097-15740-00086
Facility: Drum mix asphalt plant, identified as Unit ID 2, and the drum mix asphalt plant, identified as Unit ID 02(01)
Parameter: Hot mix asphalt production limit to limit HAP emissions
Limit: The total amount of hot mix asphalt produced by the source shall not exceed 5,711,520 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Hot mix asphalt produced this month (tons)	Hot mix asphalt produced previous 11 months (tons)	12 Month Total Hot mix asphalt produced (tons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.

Deviation has been reported on: _____

Submitted by: _____
Title / Position: _____
Signature: _____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
and
CITY OF INDIANAPOLIS
OFFICE of ENVIRONMENTAL SERVICES**

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
FESOP No.: 097-15740-00086
Facility: cold-mix (stockpile mix) asphalt storage piles
Parameter: Gelled asphalt with VOC solvent liquid binder usage limit to limit VOC emissions
Limit: Gelled asphalt with VOC solvent liquid binder used in the production of cold mix asphalt shall not exceed 2,884 tons of VOC solvent per twelve (12) consecutive month period, with compliance determined at the end of each month.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Total VOC Solvent Usage This Month (tons)	Total VOC Solvent Usage Previous 11 Months (tons)	12 Month Total VOC Solvent Usage (tons)
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
Deviation has been reported on: _____

Submitted by: _____
Title / Position: _____
Signature: _____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
and
CITY OF INDIANAPOLIS
OFFICE of ENVIRONMENTAL SERVICES**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Milestone Contractors, L.P.
Source Address: 4202 South Harding St., Indianapolis, Indiana 46217
Mailing Address: 5950 South Belmont Avenue, Indianapolis, Indiana 46217
FESOP No.: 097-15740-00086

Months: _____ to _____ Year: _____

Page 1 of 2

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked ANo deviations occurred this reporting period@.</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

ATTACHMENT A (Page 1 of 2)

ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN FOR UNIT ID 2

- (a) Fugitive particulate matter (dust) emissions from paved roads, unpaved roads, and parking lots shall be controlled by one or more of the following measures:
 - (1) Paved roads and parking lots:
 - (A) Cleaning by vacuum sweeping on an as needed basis (monthly at a minimum).
 - (B) Power brooming while wet either from rain or application of water.
 - (2) Unpaved roads and parking lots:
 - (A) Treating with emulsified asphalt on an as needed basis.
 - (B) Treating with water on an as needed basis.
- (b) Fugitive particulate matter (dust) emissions from aggregate stockpiles shall be controlled by one or more of the following measures:
 - (1) Maintain minimum size and number of stockpiles of aggregate.
 - (2) Treating around the stockpile area with emulsified asphalt on an as needed basis.
 - (3) Treating around the stockpile area with water on an as needed basis.
- (c) Fugitive particulate matter (dust) emission from outdoor conveying of aggregates shall be controlled by the following measures:
 - (1) Apply water at the feed and the intermediate points on an as needed basis.
- (d) Fugitive particulate matter (dust) emissions resulting from the transferring of aggregates shall be controlled by one or more of the following measures:
 - (1) Minimize the vehicular distance between the transfer points.
 - (2) Enclose the transfer points.
- (e) Fugitive particulate matter (dust) emissions resulting from transportation of aggregate by truck, front end loader, etc. shall be controlled by one or more of the following measures:
 - (1) Tarping the aggregate hauling vehicles.
 - (2) Maintain vehicle bodies in a condition to prevent leakage.
 - (3) Spray the aggregates with water.
 - (4) Maintain a 10 MPH speed limit in the yard.
- (f) Fugitive particulate matter (dust) emissions resulting from the loading and unloading of shall be controlled by one or more of the following measures:
 - (1) Reduce free fall distance to a minimum.
 - (2) Reduce the rate of discharge of the aggregate.

"An as needed basis" means the frequency or quantity of application necessary to minimize visible particulate matter emissions.

ATTACHMENT A (Page 2 of 2)

ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN FOR UNIT ID 02(01)

- (a) the dust from the roads be swept or treated with water or dust suppressant on an as needed basis; and
- (b) the dust from the handling and storage of all materials be treated with water or dust suppressant on an as needed basis.