



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

TO: Interested Parties / Applicant

DATE: May 2, 2008

RE: Wabash Valley Asphalt Company, LLC / 133-26465-03274

FROM: Matthew Stuckey, Branch Chief  
Permits Branch  
Office of Air Quality

## Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures  
FNPER-AM.dot12/3/07



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May 2, 2008

Mr. Daniel Conley, Production Facilities Manager  
Wabash Valley Asphalt Company, LLC  
P.O. Box 8297  
400 North 10th Street  
Terre Haute, Indiana 47808

Re: **133-26465-03274**

Portable Source Relocation Letter for  
FESOP Renewal No. 153-22594-03274

Dear Mr. Conley:

Approval is hereby granted to operate the portable hot mix asphalt plant described in FESOP Renewal No. 153-22594-03274 issued on March 15, 2007. This source is to be located at 2000 E CR 800 S, Cloverdale, Indiana, in Putnam County. This plant was previously located at 937 South Section Street, Sullivan, Indiana, in Sullivan County, and the site approval was issued on June 15, 2004.

Relocation of this plant must take place within 120 days after the issuance of this decision. The enclosed Notice of Decision explains your options to challenge this decision under IC 4-21.5-3-5(f). This approval supersedes all previous site approval letters.

Advance written notice to the Office of Air Quality (OAQ), Air Compliance Section, of start-up is required in order for the OAQ to perform an inspection. If the plant is not operating in compliance with all applicable regulations upon inspection, the plant must cease operation upon notification to you by OAQ staff of such non-compliance. Operations may only resume once remedial actions have been taken and approved by the OAQ.

A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>. For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: [www.idem.in.gov](http://www.idem.in.gov)

If you have any questions concerning this relocation site approval, please contact Janet Mobley, of my staff, at 317-234-5373 or 1-800-451-6027, and ask for extension 4-5373.

Sincerely,

*Original document signed by*

Iryn Calilung, Section Chief  
Permits Branch  
Office of Air Quality

IC/jm

Enclosures: Notice of Decision

cc: File Putnam County  
Putnam County Health Department  
Air Compliance Section  
Billing, Licensing and Training Section



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## FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) RENEWAL OFFICE OF AIR QUALITY

### Wabash Valley Asphalt Company, LLC (Portable)

(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.**

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.

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.: F153-22594-03274	
Issued by: Original signed by Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: March 15, 2007 Expiration Date: March 15, 2012

First Relocation No. 133-26465-03274	
Issued by: <i>Original document signed by</i> Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: May 2, 2008 Expiration Date: March 15, 2012

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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). The information describing the source contained in conditions A.1 through A.3 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)]

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The Permittee owns and operates a portable hot drum mix asphalt facility.

Initial Source Address:	937 S. Section Street, Sullivan, Indiana 47882
Mailing Address:	P.O. Box 8297, Terre Haute, Indiana 47808
General Source Phone:	812-232-6094
SIC Code:	2951
Initial County Location:	Sullivan
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD and Emission Offset; Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

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

- (a) One (1) drum hot mix asphalt plant consisting of the following units:
- (1) One (1) aggregate dryer/mixer, constructed in 1984, with a maximum capacity of 320 tons per hour, having a burner with a maximum heat input rate of 97 million British thermal units per hour, exhausting to a baghouse. The burner is fired by waste oil with No. 2 fuel oil used as a backup fuel.
  - (2) One (1) hot oil heater, constructed in 1984, with a maximum heat input rate of 2.54 million British thermal units per hour, fired by No. 2 distillate fuel oil.
  - (3) One (1) No. 2 distillate fuel oil fired generator, constructed in 1984, with a maximum heat input capacity of 2.62 million Btu per hour.
  - (4) One (1) material conveying and handling operation.

This drum hot mix asphalt facility is considered to be an affected source under 40 CFR 60, Subpart I.

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

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

- (a) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]
- (b) A laboratory as defined in 326 IAC 2-7-1(21)(D).
- (c) Application of oils, greases, lubricants, or other nonvolatile materials applied as temporary protective coatings.
- (d) Emission units with PM and PM10 emissions less than five (5) tons per year; SO<sub>2</sub>, NO<sub>x</sub>, and VOC emissions less than ten (10) tons per year; CO emissions less than twenty-five

(25) tons per year; lead emissions less than two-tenths (0.2) tons per year; single HAP emissions less than one (1) ton per year; and combination of HAPs emissions less than two and a half (2.5) tons per year:

- (1) One (1) 10,000 gallon storage tank for No. 2 distillate fuel oil.
- (2) One (1) 20,000 gallon storage tank for liquid asphalt AC-20, constructed in 1884.

A.4 FESOP Applicability [326 IAC 2-8-2]

This portable 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).

## SECTION B GENERAL CONDITIONS

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

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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.2 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5] [IC 13-15-3-6(a)]

---

- (a) This permit, 153-22594-03274, is issued for a fixed term of five (5) 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 of this permit.
- (b) If IDEM, OAQ, 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 until the renewal permit has been issued or denied.

### B.3 Term of Conditions [326 IAC 2-1.1-9.5]

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Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

### B.4 Local Air Pollution Control Agencies

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- (a) If the portable asphalt plant seeks to move to an area under the jurisdiction of any applicable Local Air Pollution Control Agency (LAPCA), the LAPCA may enact additional air pollution control requirements. The Permittee should contact the LAPCA when planning to relocate into an applicable jurisdiction.

- (b) The Local Air Pollution Control Agencies are:

**Anderson**

Jurisdiction: Madison County

Anderson Office of Air Management  
P.O. Box 2100  
120 East 8th Street, Anderson, IN 46011  
(765) 648-6158 (765) 648-5924 (FAX)

**Evansville**

Jurisdiction: City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County

City of Evansville EPA  
C.K. Newsome Community Center  
100 East Walnut Street, Suite 100  
Evansville, IN 47713  
(812) 435-6145 (812) 435-6155 (FAX)

**Gary**

Jurisdiction: City of Gary

Gary Department of Environmental Affairs  
839 N. Broadway

Gary, IN 46402  
(219) 882-3000 (219) 882-3012 (FAX)

**Hammond**

Jurisdiction: City of Hammond

Hammond Department of Environmental Management  
5925 Calumet Avenue  
Hammond, IN 46320  
(219) 853-6306 (219) 853-6343 (FAX)

**Indianapolis**

Jurisdiction: Marion County

Environmental Resources Management Division  
Administration Building  
2700 South Belmont Avenue  
Indianapolis, IN 46221  
(317) 327-2234 (317) 274-2274 (FAX)

**Vigo County**

Jurisdiction: Vigo County

Vigo County Air Pollution Control  
103 South Third Street  
Terre Haute, IN 47807  
(812) 462-3433 (812) 462-3447(FAX)

**B.5 Regional Air Pollution Control Offices**

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(a) If the portable asphalt plant seeks to move to an area under the jurisdiction of any applicable regional office, the Permittee should contact the regional office.

(b) The regional offices are:

**Northern Regional Office**

Counties: Starke, Fulton, Marshal, St. Joseph, Elkhart, Kosciusko, LaGrange, Noble, DeKalb, Steuben

220 W. Colfax Avenue, Suite 200  
South Bend, IN 46601-1634  
1-800-753-5519  
(574) 245-4870 (574) 245-4877 (FAX)

**Northwest Regional Office**

Counties: Lake, Porter, LaPorte

8315 Virginia Avenue, Suite 1  
Merrillville, IN 46410-9201  
1-888-209-8892  
(219) 757-0265 (219)757-0267 (FAX)

**Southwest Regional Office**

Counties: Knox, Daviess, Martin, Gibson, Pike, DuBois, Orange, Crawford, Perry, Spencer, Warrick, Vanderburgh, Posey

1120 N. Vincennes Avenue  
P.O. Box 128  
Petersburg, IN 47567  
1-888-672-8323

(812) 380-2305 (812) 436-2572 (FAX)

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

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- (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, any applicable local agency, (as described in Condition B.4 of this permit), 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 the applicable local agency.

**B.7 Severability [326 IAC 2-8-4(4)]**

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

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

**B.9 Duty to Provide Information [326 IAC 2-8-4(5)(E)]**

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- (a) The Permittee shall furnish to IDEM, OAQ, and any applicable local agency, (as described in Condition B.4 of this permit), within a reasonable time, any information that IDEM, OAQ, or the applicable local agency, 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ, and the applicable local agency, 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.10 Compliance Order Issuance [326 IAC 2-8-5(b)]**

---

IDEM, OAQ, and any applicable local agency, (as described in Condition B.4 of this permit), 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.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]**

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

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- (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 July 1 of each year to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as described in Condition B.4 of this permit)

- (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 any applicable local agency, 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 any applicable local agency, may require to determine the compliance status of the source.

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

B.13 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) for the source as described in 326 IAC 1-6-2. At a minimum, the PMPs shall include:
  - (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 any applicable local agency, (as described in Condition B.4 of this permit), upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and any applicable local agency. IDEM, OAQ, and any applicable local agency, 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 an "authorized individual" as defined by 326 IAC 2-1-1(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.14 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, any applicable local agency, (as described in Condition B.4 of this permit), and any applicable local agency, (as described in Condition B.5 of this permit), 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

and any applicable local agency or regional office, (as identified in Conditions B.4 and B.5 of this permit)

- (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  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as identified in Condition B.4 of this permit)

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 an "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 any applicable local agency, 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 any applicable local agency, 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.
- (h) 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.15** Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to 153-22594-03274 and issued pursuant to permitting programs approved into the state implementation plan have been either
  - (1) incorporated as originally stated,
  - (2) revised;

(3) deleted.

(b) All previous registrations and permits are superseded by this permit.

B.16 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 2-7-3 and 326 IAC 2-7-4(a).

B.17 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  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as identified in Condition B.4 of this permit)

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 not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by an "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.18 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 Federally Enforceable State Operating Permit 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 an "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 any applicable local agency, (as identified in Condition B.4 of this permit), 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 any applicable local agency, 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 any applicable local agency, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or any applicable local agency, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

**B.19 Permit Renewal [326 IAC 2-8-3(h)]**

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and any applicable local agency, (as identified in Condition B.4 of this permit), 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 an "authorized individual" as defined by 326 IAC 2-1-1(1).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and any applicable local agency, (as identified in Condition B.4 of this permit)

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) 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 any applicable local agency, on or before the date it is due.
- (c) 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 any applicable local agency, 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 any applicable local agency, any additional information identified as being needed to process the application.

**B.20 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]**

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- (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  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as identified in Condition B.4 of this permit)

Any such application shall be certified by an "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)]

B.21 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  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as identified in Condition B.4 of this permit)

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 emissions trades that are subject to 326 IAC 2-8-15(b) through (d). The Permittee shall make such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, and any applicable local agency, 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.22 Source Modification Requirement [326 IAC 2-8-11.1]**

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

**B.23 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC13-30-3-1]**

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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, 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.24 Transfer of Ownership or Operational Control [326 IAC 2-8-10]**

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- (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  
Indianapolis, Indiana 46204-2251

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

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

B.25 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.26 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 satisfy the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset).
- (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) Pursuant to 326 IAC 2-3 (Emission Offset), the potential to emit particulate matter (PM) from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period.

(d) 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.

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

#### C.3 Opacity [326 IAC 5-1]

(a) 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 when operating in areas not listed in 326 IAC 5-1-1(c), unless otherwise stated in this permit:

- (1) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

- (2) 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.
- (b) 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 when operating in areas listed in 326 IAC 5-1-1(c), unless otherwise stated in this permit:
  - (1) 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.
  - (2) Opacity from a facility located in Lake County shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period unless otherwise specified in 326 IAC 6-1-10.1. This opacity limit shall supersede the opacity limit contained in 326 IAC 5-1-2(2)(A), paragraph (c)(1) above.
  - (3) 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 Emissions 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 plan submitted on June 3, 1996 when operating in the areas described in 326 IAC 6-5-1(a). The Fugitive Dust Control Plan is as follows: Roadways and stockpiles shall be watered on an as-needed basis to control fugitive dust emissions at this source. This source received all the necessary preconstruction approvals before December 13, 1985, the applicability date for this rule. Therefore, 326 IAC 6-5 does not apply when the source is operating in areas not listed in 326 IAC 6-5-1(a).

C.8 Fugitive Dust Emissions [326 IAC 6.8-10-3]

Pursuant to 326 IAC 6.8-10-3 (formerly 326 IAC 6-1-11.1) (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements whenever the source is operating in Lake County:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).

- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
- (h) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
- (i) The PM<sub>10</sub> emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) Any facility or operation not specified in 326 IAC 6.8-10-3 shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on June 3, 1996. The plan includes watering of roadways and stockpiles as necessary to prevent fugitive particulate emissions.

#### C.9 Stack Height [326 IAC 1-7]

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

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- (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  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as identified in Condition B.4 of this permit)

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 an "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 Accredited 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 Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

#### **C.11 Performance Testing [326 IAC 3-6]**

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- (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  
Indianapolis, Indiana 46204-2251

and

any applicable local agency, (as identified in Condition B.4 of this permit)

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by an "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 an "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 any applicable local agency, not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, and any applicable local agency, 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.12 Compliance Requirements [326 IAC 2-1.1-11]**

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

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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.14 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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

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- (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.16 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

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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 May 27, 2002.

- (b) Upon direct notification by IDEM, OAQ, and any applicable local agency, (identified in Condition B.4 of this permit), 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.17 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.18 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.19 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 (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

#### C.20 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

- (a) Pursuant to 326 IAC 2-6-3(a)(1), when the source is operating in Lake or Porter Counties the Permittee shall submit an emission statement by July 1 following a calendar year when the source emits oxides of nitrogen into the ambient air equal to or greater than twenty-five (25) tons. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

The statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

any applicable local agency (as identified in Condition B.4 of this permit).

The emission statement does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The emission statement 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 any applicable local agency (as identified in Condition B.4 of this permit) on or before the date it is due.

#### C.21 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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner 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.22 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 an "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  
Indianapolis, Indiana 46204-2251

- (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, 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 an "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.

### Portable Source Requirement

#### C.23 Relocation of Portable Sources [326 IAC 2-14-4]

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- (a) This permit is approved for operation in all areas of Indiana except in severe nonattainment areas. This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2, and Emission Offset requirements in 326 IAC 2-3. Prior to locating in any severe nonattainment area, the Permittee must submit a request and obtain a permit modification.
- (b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:
- (1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1
  - (2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8
- The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) A "Relocation Site Approval" letter shall be obtained prior to relocating.
- (d) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:
- (1) Madison County - (Anderson Office of Air Management)
  - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
  - (3) City of Gary - (Gary Department of Environmental Affairs)
  - (4) City of Hammond - (Hammond Department of Environmental Management)

- (5) Marion County - (Indianapolis Office of Environmental Services)
- (6) Vigo County - (Vigo County Air Pollution Control)
- (e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

### **Stratospheric Ozone Protection**

#### **C.24 Compliance with 40 CFR 82 and 326 IAC 22-1**

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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 – Aggregate Dryer/Mixer, Heater, and Generator**

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

- (a) One (1) drum hot mix asphalt plant consisting of the following units:
- (1) One (1) aggregate dryer/mixer, constructed in 1984, with a maximum capacity of 320 tons per hour, having a burner with a maximum heat input rate of 97 million British thermal units per hour, exhausting to a baghouse. The burner is fired by waste oil with No. 2 fuel oil used as a backup fuel.
  - (2) One (1) hot oil heater, constructed in 1984, with a maximum heat input rate of 2.54 million British thermal units per hour, fired by No. 2 distillate fuel oil.
  - (3) One (1) No. 2 fuel oil fired generator, constructed in 1984, with a maximum heat input capacity of 2.62 million Btu per hour.
  - (4) One (1) material conveying and handling operation.

This drum hot mix asphalt facility is considered to be an affected source under 40 CFR 60, Subpart I.

(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 Particulate Matter (PM) [326 IAC 6.5-1-2] [326 IAC 6.8-1-2]**

- (a) Pursuant to 326 IAC 6.5-1-2(a) and 326 IAC 6.8-1-2(a), particulate emissions from the aggregate dryer/mixer shall not exceed 0.03 grain per dry standard cubic foot when operating in the counties listed in 326 IAC 6.5-1-1(a) or in Lake County.
- (b) Pursuant to 326 IAC 6.5-1-2(a) and 326 IAC 6.8-1-2(a), particulate emissions from the material conveying and handling operation shall not exceed 0.03 grain per dry standard cubic foot when operating in the counties listed in 326 IAC 6.5-1-1(a) or in Lake County.

**D.1.2 FESOP, PSD, and Emission Offset Limits [326 IAC 2-8-4] [326 IAC 2-2] [326 IAC 2-3]**

Pursuant to 326 IAC 2-8-4, the emissions from the aggregate dryer/mixer shall be limited as follows:

- (a) The asphalt production rate shall be limited to less than 1,349,244 tons per twelve (12) consecutive month period with compliance determined at the end of each month.
- (b) PM/PM10 emissions from the aggregate dryer/mixer shall be limited to less than 0.11 pounds of PM/PM10 per ton of asphalt produced.
- (c) CO emissions from the aggregate dryer/mixer shall be limited to less than 0.13 pounds of CO per ton of asphalt produced.
- (d) NOx emissions from the aggregate dryer/mixer shall be limited to less than 0.055 pounds of NOx per ton of asphalt produced.
- (e) VOC emissions from the aggregate dryer/mixer shall be limited to less than 0.032 pounds of VOC per ton of asphalt produced.

Compliance with these limitations renders the requirements of 326 IAC 2-7, 326 IAC 2-2 and 326 IAC 2-3 not applicable.

D.1.3 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-2] [326 IAC 2-3]

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- (a) Pursuant to 326 IAC 2-8-4, the VOC solvent used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that no more than 73.3 tons of VOC emissions emitted per twelve (12) consecutive months with compliance determined at the end of each month. This shall be achieved by limiting the total VOC solvent of any one selected binder to not exceed the stated limit in (c) for that binder during the last twelve (12) months. When more than one binder is used, the formula in (c)(6) must be applied so that the total VOC emitted does not exceed 73.3 tons per twelve (12) consecutive month period.
- (b) Liquid binders used in the production of cold mix asphalt shall be defined as follows:
- (1) Cut back asphalt rapid cure, containing a maximum of 25.3% of the liquid binder by weight of VOC solvent and 95% by weight of VOC solvent evaporating.
  - (2) Cut back asphalt medium cure, containing a maximum of 28.6% of the liquid binder by weight of VOC solvent and 70% by weight of VOC solvent evaporating.
  - (3) Cut back asphalt slow cure, containing a maximum of 20% of the liquid binder by weight of VOC solvent and 25% by weight of VOC solvent evaporating.
  - (4) Emulsified asphalt with solvent, containing a maximum of 15% of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC solvent in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, must be 7% or less of the total emulsion by volume
  - (5) 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
- (c) The liquid binder used in cold mix asphalt production shall be limited as follows:
- (1) Cutback asphalt rapid cure liquid binder usage shall not exceed 77.2 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month.
  - (2) Cutback asphalt medium cure liquid binder usage shall not exceed 105 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month.
  - (3) Cutback asphalt slow cure liquid binder usage shall not exceed 293 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month.
  - (4) Emulsified asphalt with solvent liquid binder usage shall not exceed 158 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month.
  - (5) Other asphalt with solvent liquid binder shall not exceed 2,932 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month.
  - (6) The VOC solvent allotments in subpart (c)(1) through (c)(5) of this condition shall be adjusted when more than one type of binder is used per twelve (12) month consecutive period rolled on a monthly basis. In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of VOC emitted}$$

Type of Binder	Tons VOC Solvent	Adjustment Ratio	Tons VOC Emitted
Cutback Asphalt Rapid Cure		1	
Cutback Asphalt Medium Cure		1.36	
Cutback Asphalt Slow Cure		3.8	
Emulsified Asphalt		2.04	
Other Asphalt		38	

The equivalent total tons of VOC of the combined liquid binders shall be less than 73.3 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Compliance with this limit will ensure that 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (PSD), and 326 IAC 2-3 (Emission Offset) do not apply.

D.1.4 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [326 IAC 2-3]

Pursuant to 326 IAC 2-8-4, the Permittee shall comply with the following:

- (a) The sulfur content of the waste oil used shall not exceed 0.75% by weight.
- (b) The sulfur content of the No. 2 oil used shall not exceed 0.50% by weight.
- (c) The SO<sub>2</sub> emissions from the aggregate dryer/mixer shall be limited to less than 110 pounds per thousand gallons (lb/kgal) of waste oil and less than 71.0 pounds per thousand gallons (lb/kgal) of No. 2 fuel oil.
- (d) The No. 4 fuel oil combusted in the aggregate dryer/mixer shall be limited to less than 1,632,000 gallons per twelve (12) consecutive month period with compliance determined at the end of each month. For the purpose of determining compliance with this limit, every thousand gallons of No. 2 fuel oil shall be considered equivalent to 644 gallons of waste oil.

Combined with the SO<sub>2</sub> emissions from other existing units, the SO<sub>2</sub> emissions from the entire plant are limited to less than 100 tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (Prevention of Significant Deterioration), and 326 IAC 2-3 (Emission Offset) are not applicable.

D.1.5 Sulfur Dioxide (SO<sub>2</sub>) Emission Limitations [326 IAC 7-1.1-1] [326 IAC 7-1.1-2]

Pursuant to 7-1.1-2, sulfur dioxide emissions from the aggregate dryer/mixer shall be limited as follows:

- (a) One and six-tenths (1.6) pounds per MMBtu for residual oil combustion, and
- (b) Five-tenths (0.5) pound per MMBtu for distillate oil combustion.

D.1.6 Miscellaneous Operations: Asphalt Paving [326 IAC 8-5-2]

Pursuant to 326 IAC 8-5-2, no person shall cause or allow the use of cutback asphalt or asphalt emulsion containing more than 7 percent oil distillate by volume of emulsion of any paving application except:

- (a) Penetrating prime coating;

- (b) Stockpile storage; and
- (c) Application during the months of November, December, January, February, and March.

#### D.1.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and its control device.

### Compliance Determination Requirements

#### D.1.8 Sulfur Dioxide Emissions and Sulfur Content

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Compliance 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 one and six-tenths (1.6) pounds per MMBtu for residual oil combustion and five-tenths (0.5) pounds per million Btu heat input for distillate oil combustion 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 97 MMBtu per hour burner, 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.1.9 Testing Requirements [326 IAC 2-8-4(3)]

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The Permittee shall perform PM and PM-10 testing utilizing methods as approved by the Commissioner to document compliance with Condition D.1.2(b). These tests shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. PM10 includes filterable and condensable PM.

#### D.1.10 Particulate Matter (PM) and PM10

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- (a) In order to comply with Condition D.1.2 the baghouse for PM and PM10 control shall be in operation and control emissions from the aggregate dryer/mixer at all times that the aggregate dryer/mixer is 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.

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

### **D.1.11 Visible Emissions Notations**

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- (a) Visible emission notations of the aggregate dryer/mixer stack exhaust shall be performed once per day 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.1.12 Broken or Failed Bag Detection**

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In the event that bag failure has been observed:

- (a) For a single compartment baghouses 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 have been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. 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.

### **D.1.13 Parametric Monitoring**

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The Permittee shall record the pressure drop across the baghouse used in conjunction with the aggregate dryer/mixer, at least once per day when the aggregate dryer/mixer is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 1.0 and 6.0 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 and 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 and 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 shall be calibrated at least once every six (6) months.

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

### D.1.14 Record Keeping Requirements

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- (a) To document compliance with Condition D.1.2(a), the Permittee shall maintain monthly records of asphalt production.
- (b) To document compliance with Condition D.1.4(c), the Permittee shall maintain records of monthly fuel usage for No. 2 and waste oil combusted in the aggregate dryer/mixer.
- (c) To document compliance with Conditions D.1.3 and D.1.6, the Permittee shall document VOC usage as follows:
  - (1) Amount and type of liquid binder used in the production of cold mix asphalt each day.
  - (2) Type and VOC, solvent content by weight of the liquid binder used in the production of cold mix asphalt each day.
  - (3) Amount of VOC, solvent used in the production of cold mix asphalt each day.

Records may include: delivery tickets, manufacturer's data, material safety data sheets (MSDS), and other documents necessary to verify the type and amount used. Test results of ASTM tests for asphalt cutback and asphalt emulsion may be used to document volatilization.

- (d) To document compliance with Condition D.1.8, the Permittee shall maintain records in accordance with (1) through (6) below.
  - (1) Calendar dates covered in the compliance determination period;
  - (2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;
  - (3) 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, the natural gas fired boiler certification does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1); and

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

- (4) Fuel supplier certifications.
- (5) The name of the fuel supplier; and
- (6) 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.

- (e) To document compliance with Condition D.1.11, the Permittee shall maintain records of visible emission notations of the aggregate dryer/mixer stack exhaust.
- (f) To document compliance with Condition D.1.11, the Permittee shall maintain daily records of the pressure drop across the baghouse during normal operation.

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

#### D.1.15 Reporting Requirements

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A quarterly summary of the information to document compliance with Conditions D.1.2(a), D.1.3, D.1.4 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 the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

### **New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]**

#### D.1.16 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

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(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for the asphalt plant except as otherwise specified in 40 CFR Part 60, Subpart I.

(b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue,  
Indianapolis, Indiana 46204

#### D.1.17 New Source Performance Standard for Hot Mix Asphalt Facilities Requirements [40 CFR Part 60, Subpart I] [326 IAC 12]

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Pursuant to 40 CFR Part 60, Subpart I, the Permittee shall comply with the provisions of 40 CFR 60, Subpart I (New Source Performance Standards for Hot Mix Asphalt Facilities), which are incorporated by reference as 326 IAC 12 for the asphalt plant as follows.

### **Subpart I – Standards of Performance for Hot Mix Asphalt Facilities**

#### **§ 60.90 Applicability and designation of affected facility.**

(a) The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.

(b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

[42 FR 37936, July 25, 1977, as amended at 51 FR 12325, Apr. 10, 1986]

#### **§ 60.91 Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) *Hot mix asphalt facility* means any facility, as described in §60.90, used to manufacture hot mix asphalt by heating and drying aggregate and mixing with asphalt cements.

[51 FR 12325, Apr. 10, 1986]

**§ 60.92 Standard for particulate matter.**

(a) On and after the date on which the performance test required to be constructed by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:

- (1) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).
- (2) Exhibit 20 percent opacity, or greater.

[39 FR 9314, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975]

**§ 60.93 Test methods and procedures.**

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.92 as follows:

- (1) Method 5 shall be used to determine the particulate matter concentration. The sample time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
- (2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

[54 FR 6667, Feb. 14, 1989]

**D.1.18 One Time Deadlines Relating to NSPS Subpart I**

The Permittee shall comply with the following requirements by the dates listed below:

Requirement	Rule Citation	Affected Facility	Deadline
Notification of the date of construction commencement	40 CFR 60.7(a)(1)	Aggregate dryer/mixer	No later than 30 days after commencement of construction
Notification of initial startup and Compliance Report	40 CFR 60.7(a)(3)	Aggregate dryer/mixer	Within 15 days of startup

## SECTION D.2

## FACILITY OPERATION CONDITIONS- Insignificant Emission Units

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

- (a) Paved and unpaved roads and parking lots with public access.
- (b) A laboratory as defined in 326 IAC 2-7-1(21)(D).
- (c) Application of oils, greases, lubricants, or other nonvolatile materials applied as temporary protective coatings.
- (d) Emission units with PM and PM10 emissions less than five (5) tons per year; SO<sub>2</sub>, NO<sub>x</sub>, and VOC emissions less than ten (10) tons per year; CO emissions less than twenty-five (25) tons per year; lead emissions less than two-tenths (0.2) tons per year; single HAP emissions less than one (1) ton per year; and combination of HAPs emissions less than two and a half (2.5) tons per year:
  - (1) One (1) 10,000 gallon storage tank for No. 2 distillate fuel oil.
  - (2) One (1) 20,000 gallon storage tank for liquid asphalt AC constructed in 1984.

(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 Fugitive Particulate Matter [326 IAC 6.8-10]

Pursuant to 326 IAC 6.8-10-3, the particulate matter emissions from source wide activities shall meet the following requirements whenever the plant is located in Lake County:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
- (h) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
- (i) The PM<sub>10</sub> emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.

- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) Any facility or operation not specified in 326 IAC 6.8-10-3 shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on June 3, 1996. The fugitive dust control plan is as follows: Roadways and stockpiles shall be watered on an as needed basis to prevent fugitive particulate emissions.

#### D.2.2 Volatile Organic Liquid Storage Vessels [326 IAC 8-9]

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Pursuant to 326 IAC 8-9-1(b), the storage tanks are subject to reporting and recordkeeping provisions of section 6(a) and 6(b) of this rule when operating in Clark, Floyd, Lake, or Porter Counties.

#### D.2.3 Particulate Emissions [326 IAC 2-8]

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Pursuant to 326 IAC 2-8, the emissions of PM10 from the unpaved roads shall be controlled according to the Fugitive Dust Control Plan submitted by the Permittee on June 3, 1996. The Fugitive Dust Control Plan is as follows: Roadways and stockpiles shall be watered on an as-needed basis to control fugitive dust emissions at this source.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

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

Source Name: Wabash Valley Asphalt Company, LLC  
Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47809  
FESOP Permit No.: 153-22594-03274

**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  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-0178  
Fax: 317-233-6865**

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

Source Name: Wabash Valley Asphalt Company, LLC  
Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47809  
FESOP Permit No.: 153-22594-03274

**This form consists of 2 pages**

**Page 1 of 2**

<input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none"><li>• The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and</li><li>• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16</li></ul>
---

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 <sub>2</sub> , VOC, NO <sub>x</sub> , 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

### FESOP Quarterly Report

Source Name: Wabash Valley Asphalt Company, LLC  
Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47809  
FESOP Permit No.: 153-22594-03274  
Facility: Aggregate Dryer/Mixer  
Parameter: Fuel Oil Usage  
Limit: Less than 1,632,000 gallons of waste oil per twelve (12) consecutive month period with compliance determined at the end of each month. Every thousand gallons of No. 2 fuel oil shall be considered equivalent to 644 gallons of waste oil.

YEAR: \_\_\_\_\_

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
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**

**FESOP Quarterly Report**

Source Name: Wabash Valley Asphalt Company, LLC  
Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47809  
FESOP Permit No.: 153-22594-03274  
Facility: Asphalt Plant  
Parameter: Asphalt Production  
Limit: Less than 1,349,244 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
	This Month	Previous 11 Months	12 Month Total
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

### Single Liquid Binder Solvent Quarterly Report

Source Name: Wabash Valley Asphalt Company, LLC  
 Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
 Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47808  
 FESOP No.: 153-22594-03274  
 Facility: Asphalt Plant  
 Parameter: VOC Emissions  
 Limit: Cutback asphalt rapid cure liquid binder usage shall not exceed 77.2 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month. Cutback asphalt medium cure liquid binder usage shall not exceed 105 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month. Cutback asphalt slow cure liquid binder usage shall not exceed 293 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month. Emulsified asphalt with solvent liquid binder usage shall not exceed 158 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month. Other asphalt with solvent liquid binder shall not exceed 2,932 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

**The following liquid binder solvent was the only liquid binder solvent used over the previous 12 month period:\_\_\_\_\_ Limit applicable:\_\_\_\_\_**

(use of more than one binder requires the use of the "Multiple Liquid Binder Solvents" report form)

Month	Column 1	Column 2	Column 1 + Column 2
	This Month (tons)	Previous 11 Months (tons)	12 Month Total (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**

**Multiple Liquid Binder Solvent Quarterly Report**

Source Name: Wabash Valley Asphalt Company, LLC  
 Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
 Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47808  
 FESOP No.: 153-22594-03274  
 Facility: Asphalt Plant  
 Parameter: VOC Emissions  
 Limit: 73.3 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

Year:

Month	Type of Liquid binder	Solvent Usage This Month (tons)	Divisor	VOC emitted This Month (tons) for each solvent	VOC emitted This Month (tons)	VOC emitted Previous 11 Months (tons)	This month + Previous 11 months =VOC emitted 12 Month Total(tons)
Month 1	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 2	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 3	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				

- No deviation occurred in this reporting period.  
 Deviation/s occurred in this reporting period.  
 Deviation has been reported on:

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Attach a signed certification to complete this report.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE DATA SECTION

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

Source Name: Wabash Valley Asphalt Company, LLC  
 Source Address: 2000 E. CR 800 S, Cloverdale, Indiana 46120  
 Mailing Address: P.O. Box 8297, Terre Haute, Indiana 47809  
 FESOP Permit No.: 153-22594-03274

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

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

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

Form Completed By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.