



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

TO: Interested Parties / Applicant

DATE: March 11, 2009

RE: Vulcan Construction Materials / 061-27571-05223

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

Notice of Decision: Revocation

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this revocation is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition describing your intent must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, 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-REV.dot 1/2/08



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Mr. Anthony Russo, Environmental Specialist
Vulcan Construction Materials, LP
Airpark II Suite B-19
1410 Donelson Pike
Nashville, TN 47217

March 11, 2009

Re: **061-27571-05223**
Revocation of FESOP No. 061-24466-05223

Dear Mr. Russo:

Vulcan Construction Materials - Harrison County Asphalt was issued a FESOP Renewal No. 061-24466-05223 on July 8, 2008, for a portable hot drum and cold mix asphalt plant, located at 2314 Old Highway 135 SW, Corydon, Indiana. On March 4, 2009, the Office of Air Quality (OAQ) received a letter from the source requesting that the FESOP be revoked, since all emission units have been removed from the source.

Pursuant to 326 IAC 2-1.1-9, any permit to construct or operate or any permit revision approval granted by the commissioner may be revoked for any cause that establishes in the judgment of the commissioner the fact that continuance of the permit or permit revision approval is not consistent with the purposes of 326 IAC 2. Since the source is no longer in operation, the FESOP is no longer required.

The FESOP Renewal No. 061-24466-05223 issued on July 8, 2008, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

A copy of the revocation 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

If there are any questions about this revocation, please contact Janet Mobley, at 317-234-5373 or at 1-800-451-6027 (ext 4-5373).

Sincerely,

Iryn Calilung, Section Chief
Permits Branch
Office of Air Quality

ILC/jm
cc: File - Harrison County
Harrison County Health Department
Air Compliance and Enforcement Section
IDEM Southwest Regional Office
Compliance Data Section
Permit Administration and Support Section
Billing, Licensing and Training Section