



# 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 26, 2009

RE: US Concrete On-Site, Inc. / 007-27598-05326

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

## Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures  
FNPER.dot12/03/07



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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## NEW SOURCE REVIEW PERMIT AND SOURCE SPECIFIC OPERATING AGREEMENT OFFICE OF AIR QUALITY

### US Concrete On-Site, Inc.

### (Portable)

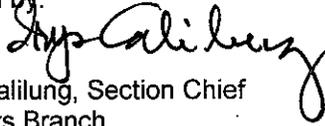
(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this New Source Review (NSR) Permit and Source Specific Operating Agreement (SSOA).

This permit is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-5.1, 326 IAC 2-9 and 40 CFR 52.780, with conditions listed on the attached pages.

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this 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 Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.

Source Specific Operating Agreement No. 007-27598-05326

Issued by:

  
Iryn Calilung, Section Chief  
Permits Branch  
Office of Air Quality

Issuance Date: May 26, 2009

## SECTION A

## SOURCE SUMMARY

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

### A.1 General Information

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The Permittee owns and operates a portable Ready-Mix Concrete Plant.

Initial Source Address:	4903 West 100 South, Fowler, Indiana 47944
Mailing Address:	3189 West Ward Road Suite 101, Dunkirk, MD 20754
General Source Phone Number:	(410) 286-3500
SIC Code:	3273
County Location:	Benton County
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Source Specific Operating Agreement (SSOA) Not 1 of 28 Source Categories

### A.2 Source Summary

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This portable source consists of the following:

- (1) Ready-Mix Concrete Batch Operation [326 IAC 2-9-9]
- (2) Internal Combustion Sources [326 IAC 2-9-14]

### A.3 New Source Review and SSOA Applicability [326 IAC 2-9-1] [326 IAC 2-1.1-3(d)]

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- (a) This source, otherwise required to have a permit under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8, has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) for a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.
- (b) Pursuant to 326 IAC 2-9-1(g), the source may apply for up to four (4) different SSOAs contained in 326 IAC 2-9.
- (c) Pursuant to 326 IAC 2-1.1-3(d), this New Source Review Permit is required for the following:
  - (1) Internal combustion sources complying with 326 IAC 2-9-14

## **SECTION B GENERAL CONDITIONS**

### **B.1 Definitions [326 IAC 2-1.1-1]**

Terms in this SSOA 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 2-1.1-1) shall prevail.

### **B.2 Affidavit of Construction [326 IAC 2-5.1-3(h)] [326 IAC 2-5.1-4]**

This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 when prior to the start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM if constructed as proposed.
- (b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.
- (c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.

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

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 Enforceability**

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, the United States Environmental Protection Agency (U.S. EPA), and by citizens in accordance with the Clean Air Act.

### **B.5 Severability**

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.6 Property Rights or Exclusive Privilege**

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

### **B.7 Duty to Provide Information**

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ 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 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.8 Prior Permits Superseded [326 IAC 2-1.1-9.5]**

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- (a) All terms and conditions of permits established prior to SSOA No. 007-27598-05326 and issued pursuant to permitting programs approved into the state implementation plan have been either:
  - (1) incorporated as originally stated,
  - (2) revised, or
  - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

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

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

- (a) An annual notification shall be submitted by an authorized individual to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this SSOA.
- (b) The annual notice shall be submitted in the format attached no later than January 30 of each year to:

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, IN 46204-2251
- (c) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

**B.10 Source Modification Requirement [326 IAC 2-9-1(e)]**

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Pursuant to 326 IAC 2-9-1(e), any change or modification which will alter operations in such a way that it will no longer comply with the applicable restrictions and conditions of this operating agreement, must obtain the appropriate approval from the Office of Air Quality (OAQ) under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7, and 326 IAC 2-8, before such change may occur.

**B.11 Inspection and Entry [326 IAC 2-5.1-3(e)(4)(B)] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]**

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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 permitted 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.12 Permit Revocation [326 IAC 2-1.1-9] [326 IAC 2-9-1(j)]**

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- (a) Pursuant to 326 IAC 2-1.1-9 (Revocation of Permits), this permit to operate may be revoked for any of the following causes:
  - (1) Violation of any conditions of this permit.
  - (2) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.
  - (3) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.
  - (4) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
  - (5) For any cause which establishes in the judgment of IDEM the fact that continuance of this permit is not consistent with purposes of this article.
- (b) Pursuant to 326 IAC 2-9-1(j), noncompliance with any applicable provision 326 IAC 2-9 or any requirement contained in this SSOA may result in the revocation of this SSOA and make this source subject to the applicable requirements of a major source.

## SECTION C

## SOURCE OPERATION CONDITIONS

Entire Source

### Emission Limitations and Standards [326 IAC 2-9]

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

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

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period, as determined in 326 IAC 5-1-4, for all Counties of Indiana.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes in a six (6) hour period. This shall be considered equivalent to sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or, for a continuous opacity monitor, fifteen (15) one (1) minute nonoverlapping integrated averages.

#### C.2 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).

### Compliance Requirements [326 IAC 2-1.1-11] [326 IAC 2-9]

#### C.3 Compliance with Applicable Requirements [326 IAC 2-9-1(i)]

Pursuant to 326 IAC 2-9-1(i), the owner or operator is hereby notified that this operating agreement does not relieve the Permittee of the responsibility to comply with the provisions of any applicable federal, state, or local rules, or any New Source Performance Standards (NSPS), 40 CFR Part 60, or National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 or 40 CFR Part 63.

### Record Keeping and Reporting Requirements [326 IAC 2-9]

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

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

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

Pursuant to 326 IAC 2-9-1(h), any exceedance of any requirement contained in this operating agreement shall be reported, in writing, within one (1) week of its occurrence. Said report shall include information on the actions taken to correct the exceedance, including measures to reduce emissions, in order to comply with the established limits. If an exceedance is the result of a malfunction, then the provisions of 326 IAC 1-6 apply.

## Portable Source Requirements

### C.6 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 for ozone (at the time of this permit's issuance, these areas are Lake and Porter Counties) and in Lake County due to additional particulate requirements. 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 revision.
- (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
  - (3) The address of the new location for the portable source.
  - (4) Indication of whether or not this portable source will be relocated near or adjacent to another (portable or stationary) permitted source.
  - (5) If relocating near or adjacent to another permitted source, include the following:
    - (A) Source name, location address, and permit number of the other source.
    - (B) Indicate whether or not the two sources share common ownership.
    - (C) Indicate whether or not the two sources will be considered as one source (for permitting purposes.)
    - (D) If the two sources will be considered as one source, indicate whether or not this combined emission source has received the necessary approvals from IDEM to allow the relocation and include the permit number of the approval.

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) A valid operation agreement consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

## SECTION D

## OPERATION CONDITIONS

Operation Description: Ready-Mix Concrete Batch Operation [326 IAC 2-9-9]

(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 2-9]

#### D.1 Ready-Mix Concrete Batch Operation Limitation [326 IAC 2-9-9(b)(1)]

Pursuant to 326 IAC 2-9-9(b)(1), the production from the concrete batch operation shall be limited to less than three hundred thousand (300,000) cubic yards per year.

#### D.2 Opacity [326 IAC 2-9-9(b)(3)]

Pursuant to 326 IAC 2-9-9(b)(3), fugitive particulate emissions from the cement and aggregate silos shall be controlled by operating dust collectors such that visible emissions do not exceed twenty percent (20%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.

#### D.3 Fugitive Emissions [326 IAC 2-9-9(b)(4)] [326 IAC 2-9-9(b)(8)]

(a) Pursuant to 326 IAC 2-9-9(b)(4), the fugitive particulate matter (PM) emissions from all aggregate storage piles, unpaved roadways, and aggregate transfer processes of this source shall be controlled by applying water on an as needed basis, such that the following visible emission conditions are met:

- (1) The visible emissions from any storage pile shall not exceed twenty percent (20%) in twenty-four (24) consecutive readings in a six (6) minute period. This limitation shall not apply during periods when application of control measures are ineffective or unreasonable due to sustained high wind speeds. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.
- (2) The visible emissions from unpaved roadways shall not exceed an average instantaneous opacity of twenty percent (20%). Average instantaneous opacity shall be the average of twelve (12) instantaneous opacity readings, taken for four (4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:
  - (A) The first reading shall be taken at the time of emission generation.
  - (B) The second reading shall be taken five (5) seconds after the first.
  - (C) The third reading shall be taken five (5) seconds after the second reading, or ten (10) seconds after the first reading.

The three (3) readings shall be taken approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

- (3) Visible emissions from the aggregate transferring processes shall not exceed an average instantaneous opacity of twenty percent (20%). The average instantaneous opacity shall be the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) material loading or unloading operation. The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.
- (b) Pursuant to 326 IAC 2-9-9(b)(8), the fugitive particulate emissions at the sand and gravel operation shall not escape beyond the property lines or boundaries of the source property, right of way, or easement on which the source is located pursuant to 326 IAC 6-4.

### **Compliance Determination Requirements [326 IAC 2-9]**

#### **D.4 Particulate [326 IAC 2-9-9(b)(5)] [326 IAC 2-9-9(b)(6)]**

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Pursuant to 326 IAC 2-9-9(b)(5) and 326 IAC 2-9-9(b)(6), the owner or operator shall comply with the following:

- (a) All equipment that generate particulate matter (PM) emissions and any associated control devices shall be operated and maintained at all times of plant operation, in such a manner, as to meet all of the requirements of Conditions D.2 and D.3.
- (b) All cement transferring processes shall always be enclosed.

### **Record Keeping and Reporting Requirements [326 IAC 2-9]**

#### **D.5 Record Keeping Requirements [326 IAC 2-9-9(b)(2)] [326 IAC 2-9-9(b)(7)]**

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Pursuant to 326 IAC 2-9-9(b)(2) and 326 IAC 2-9-9(b)(7):

- (a) The source shall keep annual production records of the concrete batch operation at the site on a calendar year basis.
- (b) The source shall maintain records on the types of air pollution control devices used at the source and the operation and maintenance manuals for those control devices.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements.

## SECTION E

## OPERATION CONDITIONS

Operation Description: Internal Combustion Sources [326 IAC 2-9-14]

(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 2-9]

#### E.1 Internal Combustion Sources Limitation [326 IAC 2-9-14(a)(2)]

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Pursuant to 326 IAC 2-9-14(a)(2), the fuel usage for internal combustion units at this source shall be limited to less than two hundred sixty-four and eighty-two hundredths (264.82) kilogallons of diesel fuel per twelve (12) consecutive month period.

### Record Keeping and Reporting Requirements [326 IAC 2-9]

#### E.2 Record Keeping Requirements [326 IAC 2-9-14(d)]

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Pursuant to 326 IAC 2-9-14(d), the source shall keep the following records for the internal combustion units:

- (a) the hours operated for each internal combustion unit,
- (b) records of the annual fuel usage for each internal combustion unit, and
- (c) records of all routine maintenance conducted on the internal combustion units.

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

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

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

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

<b>Company Name:</b>	US Concrete On-Site, Inc.
<b>Address:</b>	3189 West Ward Road, Suite 101
<b>City:</b>	Dunkirk, MD 20754
<b>Phone #:</b>	(410) 286-3500
<b>SSOA #:</b>	007-27598-05326

I hereby certify that US Concrete On-Site, Inc. is:

still in operation.

I hereby certify that US Concrete On-Site, Inc. is:

no longer in operation.

in compliance with the requirements of SSOA 007-27598-05326.

not in compliance with the requirements of SSOA 007-27598-05326.

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

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

<b>Noncompliance:</b>

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

**PORTABLE SOURCE RELOCATION NOTIFICATION  
CERTIFICATION**

Source Name: US Concrete On-Site, Inc.  
Source Address: 4903 West 100 South, Fowler, Indiana 47944  
Mailing Address: 3189 West Ward Road Suite 101, Dunkirk, MD 20754  
SSOA No.: 007-27598-05326

This certification shall be included when submitting a portable source relocation notification as required by this SSOA.

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

Mail to: Permit Administration and Support Section  
Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

US Concrete On-Site, Inc.  
4903 West 100 South  
Fowler, Indiana 47944

### Affidavit of Construction

I, \_\_\_\_\_, being duly sworn upon my oath, depose and say:  
(Name of the Authorized Representative)

1. I live in \_\_\_\_\_ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.
2. I hold the position of \_\_\_\_\_ for \_\_\_\_\_.  
(Title) (Company Name)
3. By virtue of my position with \_\_\_\_\_, I have personal  
(Company Name)  
knowledge of the representations contained in this affidavit and am authorized to make these representations on behalf of \_\_\_\_\_.  
(Company Name)
4. I hereby certify that US Concrete On-Site, Inc., located at 4903 West 100 South, Fowler, Indiana 47944, completed construction of the portable Batch Ready-Mix Concrete plant on \_\_\_\_\_ in conformity with the requirements and intent of the permit application received by the Office of Air Quality on March 10, 2009 and as permitted pursuant to the New Source Review Permit and SSOA No. 007-27598-05326 issued on \_\_\_\_\_.
5. Additional \_\_\_\_\_ were constructed/substituted as described in the attachment to this document  
(operations/facilities)  
and were not made in accordance with the construction approval. (Delete this statement if it does not apply.)

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF INDIANA)  
)SS

COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to me, a notary public in and for \_\_\_\_\_ County and State of  
Indiana on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (typed or printed)

## Indiana Department of Environmental Management Office of Air Quality

### Technical Support Document (TSD) for a New Source Review (NSR) Permit and a Source Specific Operating Agreement (SSOA)

#### Source Description and Location

<b>Source Name:</b>	<b>US Concrete On-Site, Inc.</b>
<b>Initial Source Location:</b>	<b>4903 West 100 South, Fowler, Indiana 47944</b>
<b>County:</b>	<b>Benton</b>
<b>SIC Code:</b>	<b>3273</b>
<b>Operation Permit No.:</b>	<b>007-27598-05326</b>
<b>Permit Reviewer:</b>	<b>Sandra Carr</b>

The Office of Air Quality (OAQ) has reviewed an application, submitted by US Concrete On-Site, Inc. on March 10, 2009, for a New Source Review (NSR) Permit and a Source Specific Operating Agreement (SSOA) for construction and operation of a portable Batch Ready-Mix Concrete Plant.

#### Existing Approvals

There have been no previous approvals issued to this source.

#### Permit Level Determination – NSR and SSOA

This source is obtaining a Source Specific Operating Agreement (SSOA) for approval to operate (pursuant to 326 IAC 2-9) the following operation (Note: pursuant to 326 IAC 2-1.1-3(d), a New Source Review (NSR) Permit for approval to construct is not required for this operation):

- (1) Ready-mix concrete batch operation complying with 326 IAC 2-9-9.

This source is also obtaining a New Source Review (NSR) Permit and Source Specific Operating Agreement (SSOA) for approval to construct (pursuant to 326 IAC 2-5.1-3) and operate (pursuant to 326 IAC 2-9) the following operation:

- (2) Internal combustion sources complying with 326 IAC 2-9-14

Based on emission factors from EPA's Compilation of Air Pollutant Emission Factors AP-42, Chapter 3, Stationary Internal Combustion Sources, IDEM has determined that internal combustion sources complying with the fuel usage limitations contained in this SSOA have a limited PTE of SO<sub>2</sub> and NO<sub>x</sub> greater than twenty-five (25) tons per year. Therefore, a New Source Review Permit for approval to construct is required for this operation pursuant to 326 IAC 2-5.1-3(a)(1)(E).

For a source that operates under 326 IAC 2-9 (Source Specific Operating Agreement Program), the source is required to comply with the pre-established emission limitations and standards contained in the specific SSOA(s) under 326 IAC 2-9. For a detailed description of the requirements specific to each SSOA, see 326 IAC 2-9.

#### Enforcement Issues

There are no pending enforcement actions related to this source.

### Federal Rule Applicability Determination

#### New Source Performance Standards (NSPS)

- (a) The requirements of the NSPS for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60, Subpart IIII, (40 CFR Part 60.4200 - 60.4219) (326 IAC 12), are not included in the permit, since the internal compression engine at this source is mobile not stationary.
- (b) The requirements of the NSPS for Stationary Combustion Turbines, 40 CFR 60, Subpart ZZZZ, (40 CFR Part 60.4300 - 60.4420) (326 IAC 12), are not included in the permit, since this source does not contain any stationary combustion turbines as defined by 40 CFR 60.4420. The diesel internal combustion engine generates electrical power through the use of an internal combustion engine and not a combustion turbine.
- (c) There are no other New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit.

#### National Emission Standards for Hazardous Air Pollutants (NESHAP)

- (d) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit.

#### Compliance Assurance Monitoring (CAM)

- (e) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is not included in the permit, because the potential to emit of the source is limited to less than the Title V major source thresholds and the source is not required to obtain a Part 70 or Part 71 permit.

### State Rule Applicability Determination

The following state rules are applicable to the source:

#### 326 IAC 2-9 (Source Specific Operating Agreement Program)

SSOA applicability is discussed under the Permit Level Determination – SSOA section above.

This portable plant is not approved to relocate to Lake or Porter Counties because both counties are currently designated as nonattainment for one-hour ozone.

#### 326 IAC 5-1 (Opacity Limitations)

##### 326 IAC 5-1 (Opacity Limitations)

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

*for counties and areas not listed in #2 & #3 below:*

- (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.

*for Lake County:*

- (2) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

*for any of the following Counties/Townships/Areas:*

- Clark County (Jefferson Township - Cities of Jeffersonville, Clarksville, Oak Park),
- Dearborn County (Lawrenceburg Township - Cities of Lawrenceburg and

- Greendale)
- Dubois County (Bainbridge Township - the City of Jasper)
  - Marion County (except the area of Washington Township east of Fall Creek and the area of Franklin Township south of Thompson Road and east of Five Points Road)
  - St. Joseph County (the area north of Kern Road and east of Pine Road)
  - Vanderburgh County (the area included in the City of Evansville and Pigeon Township)
  - Vigo County (Indiana State University campus, 0.5km radius around UTM Easting 464,519.00, Northing 4,369,208.00, Zone 16)
- (3) 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.

*for all counties:*

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

#### 326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source 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.

#### 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

The requirements of 326 IAC 6-5 are not included in the SSOA, since each of the SSOAs contained under 326 IAC 2-9 (Source Specific Operating Agreement Program) that limit fugitive emissions include pre-established fugitive dust control measures. In addition, this portable plant is not allowed to relocate to Lake County due to additional particulate requirements which are not specified in this permit.

### **Compliance Determination, Monitoring, Record Keeping, and Reporting Requirements**

For a source that operates under 326 IAC 2-9 (Source Specific Operating Agreement Program), the source is required to comply with the pre-established emission limitations and standards, compliance determination, compliance monitoring, and record keeping and reporting requirements contained in the specific SSOA(s) under 326 IAC 2-9. For a detailed description of the requirements specific to each SSOA, see 326 IAC 2-9.

### **Conclusion and Recommendation**

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on March 10, 2009.

The construction and operation of this source shall be subject to the conditions of the attached proposed New Source Review (NSR) Permit and SSOA No. 007-27598-05326. The staff recommends to the Commissioner that this NSR Permit and SSOA be approved.

### **IDEM Contact**

- (a) Questions regarding this proposed permit can be directed to Sandra Carr at the Indiana Department Environmental Management, Office of Air Quality, Permit Administration and Support Section, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by

telephone at (317) 234-5372 or toll free at 1-800-451-6027 extension x45372.

- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) 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)



# 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)

## **SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED**

**TO:** Roberto Talavera  
US Concrete On-Site, Inc.  
3189 W Ward Road Ste 101  
Dunkirk, MD 20754

**DATE:** May 26, 2009

**FROM:** Matt Stuckey, Branch Chief  
Permits Branch  
Office of Air Quality

**SUBJECT:** Final Decision  
SSOA  
007-27598-05326

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:  
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at [jbrush@idem.IN.gov](mailto:jbrush@idem.IN.gov).

Final Applicant Cover letter.dot 11/30/07



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

May 26, 2009

TO: Benton County Public Library

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

Subject: **Important Information for Display Regarding a Final Determination**

**Applicant Name: Us Concrete On-Site, Inc.**  
**Permit Number: 007-27598-00032**

You previously received information to make available to the public during the public comment period of a draft permit. Enclosed is a copy of the final decision and supporting materials for the same project. Please place the enclosed information along with the information you previously received. To ensure that your patrons have ample opportunity to review the enclosed permit, **we ask that you retain this document for at least 60 days.**

The applicant is responsible for placing a copy of the application in your library. If the permit application is not on file, or if you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185.

Enclosures  
Final Library.dot 11/30/07

# Mail Code 61-53

IDEM Staff	CDENNY 5/26/2009 US Concrete On-Site, Inc. 007-27598-05326 (final)		Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Roberto Talavera US Concrete On-Site, Inc. 3189 W Ward Rd, Ste 101 Dunkirk MD 20754 (Source CAATS)										
2		Mr. Charles L. Berger Attorney Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party)										
3		Benton County Health Department 705 E 5th St Fowler IN 47944 (Health Department)										
4		Benton County Commissioners 706 Fifth Street Fowler IN 47944 (Local Official)										
5		Benton County Public Library 102 North Van Buren Avenue Fowler IN 47944-1299 (Library)										
6		Mr. Robert Kelley 2555 S 30th Street Lafayette IN 44909 (Affected Party)										
7		Ms. Beth Brock 6922 Bluffgrove Cir Indianapolis IN 46278 (Affected Party)										
8		Fowler Town Council and Town Manager 307 E. 5th St. Fowler IN 47944 (Local Official)										
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<b>7</b>			