



# 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 27, 2009

RE: Sperry and Rice Mfg. Co. LLC / 047-27727i-00012

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



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Sperry and Rice Manufacturing Co., LLC  
9146 US 52, Brookville, IN 47012  
9146 US 52  
Brookville, IN 47012

May 27, 2009

Re: Interim Significant Permit Revision Petition Approval  
047-277271-00012

Dear Mr. Gregory:

On April 28, 2009, the Office of Air Quality (OAQ) received an interim Significant Permit Revision petition from Sperry and Rice Manufacturing Co., LLC, located at 9146 US 52, in Brookville, Indiana for construction of three new 3 1/2 inch vulcanized lines.

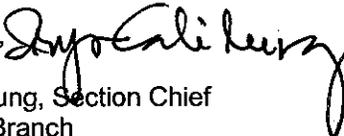
A public notice of the interim Significant Permit Revision petition was published in Brookville Democrat on April 29, 2009. The public comment period ended on May 13, 2009.

This interim petition is hereby approved for the construction of three new 3 1/2 inch vulcanized lines and expires on the effective date of the final Significant Permit Revision No. 047-27727-00012.

The interim Significant Permit Revision petition may be revoked after its effective date upon a written finding by the Indiana Department of Environmental Management (IDEM) that any of the reasons for denial in 326 IAC 2-13-1(h) exist or if the final Significant Permit Revision permit is denied. The IDEM has reviewed this interim Significant Permit Revision petition and has not found any such reason. The facilities specified in the interim Significant Permit Revision petition may not operate until the final Significant Permit Revision permit is issued by OAQ.

The interim Significant Permit Revision petition is federally enforceable. Detailed construction and operation conditions will be specified in the final Significant Permit Revision permit 047-27727-00012.

If you have any questions regarding this interim Significant Permit Revision petition, please contact Jillian Bertram, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Jillian Bertram or extension 4-5377, or dial (317)234-5377.

Sincerely,   
Iryn Calilung, Section Chief  
Permits Branch  
Office of Air Quality

Enclosure: Interim Permit Evaluation (4 pages)

JLB

cc: File – Franklin County  
Franklin County Health Department  
U.S. EPA, Region V  
Compliance and Enforcement Branch  
Bill Huston, Crown Solutions Co., LLC

## Indiana Department of Environmental Management Office of Air Management

### Interim Significant Permit Revision / Significant Source Modification Evaluation Sheet

<b>Company Name:</b> Sperry and Rice Manufacturing Co., LLC	
<b>Location:</b> 9146 US 52, Brookville, IN 47012	<b>Permit No:</b> 047-277271-00012
<b>Permit Reviewer:</b> Jillian Bertram	<b>Date Receipt of Application:</b> 4/28/2009
	<b>Date of review:</b> 5/20/2009
<b>Description of the interim construction:</b>	3, 3 1/2 inch vulcanized lines
<b>Public Notice Period</b> = 4/29/2009 to 5/13/2009	
<b>Public Notice Date + 3 days = 17 days =</b>	5/18/2009

Interim Petition Applicability: 326 IAC 2-13-1

- (a) Existing Source with valid permit;
- (b) Exemptions:
  - (1) construction of a PSD source or PSD modification;
  - (2) construction or modification in nonattainment area that would emit those pollutants for which the nonattainment designation is based.
  - (3) any modification subject to 326 IAC 2-4.1.
- (c) Public notice comment period is 14 calendar days.

**Instructions: Check (✓) appropriate answers and make a recommendation.**

1. Did the applicant submit a written petition for an interim significant permit revision or significant source modification?

- Yes Go to question 2.  
 No Ignore verbal request.

2. Did the applicant pay the applicable interim permit fee? \$625 for TV, FESOP, and SSOA. \$500 for MSOP.

- Yes Go to question 3.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(1).

Comments: \_\_\_\_\_

3. Did the applicant state acceptance of federal enforceability of an interim significant permit revision or significant source modification?

- Yes Go to question 4.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(D).

4. Did the applicant or its authorized agent sign the application?

- Yes Go to question 5.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(E).

5. Did the applicant submit a notarized affidavit stating that the applicant will proceed at its own risk (if the interim significant permit revision or significant source modification is issued), including, but not limited to:

- (a) Financial risk,
- (b) Risk that additional emission controls may be required,
- (c) Risk that the final significant permit revision or significant source modification may be denied.

- Yes Go to question 6.
- No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(F).

6. Did the applicant begin construction prior to submitting the interim significant permit revision or significant source modification application?

- Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(6).
- No Go to question 7.

7. What is the type of the interim construction?

- New Source Deny the application, pursuant to 326 IAC 2-13-1(a)
- Modification to an existing source Go to question 8.

8. Did the applicant present data in the interim significant permit revision or significant source modification that is sufficient to determine PSD, NSPS, NESHAP, and state rule compliance?

- Yes Go to question 9.
- No Deny the application pursuant to:  
326 IAC 2-13-1(c)(2)(B), for PSD;  
326 IAC 2-13-1(c)(2)(C), for NSPS or NESHAP;  
326 IAC 2-13-1(c)(2)(C), for state rules.

9. Is the proposed modification to be located in a nonattainment area?

- Yes Go to question 10.
- No Go to question 11.

County: Franklin County

Comments: \_\_\_\_\_

10. Will the proposed modification emit the pollutant for which the area is nonattainment in quantities greater than the significant levels?

- Yes Deny the application, pursuant to 326 IAC 2-13-1(a)(2).
- No Go to question 11.

11. Did the petition include a complete description of the process?

- Yes Go to question 12.
- No Deny the petition, pursuant to 326 IAC 2-13-1(c)(2).

12. Did the interim significant permit revision or significant source modification petition contain conditions accepting either emission controls (baghouse, afterburners, scrubbers, etc.) or enforceable limits or other suitable restriction to avoid PSD applicability; as well as control parameters (incinerator operating temperature, baghouse pressure drop, etc.)? The specific limits must be explicitly spelled out (i.e.: The gas consumption of the boiler shall not exceed 29 million cubic feet per month.) A statement such as that the company agrees to conditions such that PSD rules are not applicable is not acceptable.

- Yes Go to question 13.
- No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).

13. Do the emission controls and/or throughput limits prevent PSD applicability?  
 Yes Go to question 14.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).
14. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable New Source Performance Standards (NSPS) (40 CFR 60)?  
 Yes Go to question 15.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
15. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP)?  
 Yes Go to question 16.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
16. Will the modification, after application of all emission controls and/or throughput limitations, comply with all applicable state rules?  
 Yes Go to question 17.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
17. Does the applicant dispute applicability of any applicable state or federal rule?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).  
 No Go to question 18.
18. Is there good reason to believe that the applicant does not intend to construct in accordance with the interim significant permit revision or significant source modification petition?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(1).  
 No Go to question 19.
19. Is there good reason to believe that information in the petition has been falsified?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(7).  
 No Approve the interim significant permit revision or significant source modification petition.
20. Has the petition been adequately public noticed? A proof of publication copy is necessary.  
 Yes Go to question 21.  
 No Deny the application, pursuant to 326 IAC 2-13-1(e).
- Newspaper: Brookville Democrat
- Date of publication: April 29, 2009
21. Were comments received within seventeen (17) days after the public notice of the interim significant permit revision or significant source modification?  
(14 calendar days for comment period + 3 working days for mailing)  
 Yes Evaluate the comments received, and make a recommendation.  
 No Issue the final interim significant permit revision or significant source modification approval.

Comments: \_\_\_\_\_  
\_\_\_\_\_

Recommendation: \_\_\_\_\_

Date the applicant was informed of the decision: \_\_\_\_\_

Method of informing the applicant: \_\_\_\_\_



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

**TO:** James R. Gregory  
Pres. & CEO  
Sperry & Rice Mfg. Co. LLC  
9146 US Hwy 52  
Brookville IN 47012

**DATE:** May 27, 2009

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

**SUBJECT:** Final Decision  
Interim Significant Permit Revision  
047-27727i-00012

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:  
Bill Huston Crown Solutions Co. LLC  
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

# Mail Code 61-53

IDEM Staff	BLOCCHET 5/27/2009 Sperry & Rice Mfg Co. LLC 047-27727i-00012 (final)			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	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handling 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		James R Gregory President & CEO Sperry & Rice Mfg Co, LLC 9146 US Hwy 52 Brookville IN 47012 (Source CAATS) <b>Via Confirmed Delivery</b>									
2		Franklin County Commissioners 459 Main Street Brookville IN 47012 (Local Official)									
3		Franklin County Health Department 459 Main St, Courthouse Brookville IN 47012-1405 (Health Department)									
4		Brookville Town Council 634 Main St. Brookville IN 47012 (Local Official)									
5		Mr. Bill Huston Crown Solutions Co LLC 945 South Brown Rd Vandalia OH 45377 (Consultant)									
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Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See <b>Domestic Mail Manual R900, S913, and S921</b> for limitations of coverage on inured and COD mail. See <b>International Mail Manual</b> for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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