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: May 15, 2009

RE: Rieth – Riley Construction Co., Plant #325 / 097-27905-00088

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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Mr. Ed Clements
Rieth-Riley Plant #325
PO Box 477
Goshen, IN 46527

May 15, 2009

Re: 097-27905-00088
First Administrative Amendment to
F097-24114-00088

Dear Mr. Clements:

Rieth-Riley Plant #325 (Permittee) was issued a Federally Enforceable State Operating Permit (FESOP) Renewal No. F097-24114-00088 on November 30, 2007, for a stationary asphalt plant located at 2605 South Kentucky Avenue, Indianapolis, IN 46241. On May 11, 2009, the Office of Air Quality (OAQ) received an application from the source requesting that the permit be revised to remove all requirements related to local air pollution control agencies and to extend the permit term. Local agencies no longer have effective authority to implement state and federal requirements for IDEM. Therefore, IDEM has removed all references to local agencies from the permit. IDEM has determined that this change to the permit will be processed as an administrative amendment pursuant to 326 IAC 2-8-10.

The revised permit specifies that all reports, notices, applications, and any other required submittals shall be submitted to IDEM. The Permittee should note that the local agency could have its own requirements beyond the state and federal requirements contained in the permit. Please contact the local agency for further information.

Pursuant to the provisions of 326 IAC 2-8-10, the permit is hereby administratively amended as follows with the deleted language as ~~strikeouts~~ and new language **bolded**.

1. All references to local agencies have been removed from the permit.

2. The following conditions have been revised to clarify the requirements of the permit.

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

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

~~(b) Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by OES.~~

~~(c)~~

3. requesting that the FESOP Renewal permit term be extended to ten (10) years. On December 16, 2007, rule revisions to 326 IAC 2-1.1-9.5 and 326 IAC 2-8-4 were finalized allowing for ten (10) year permit terms on FESOP renewals. IDEM has determined that this change to the permit will be processed as an administrative amendment pursuant to 326 IAC 2-8-10

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

Issuance Date: November 30, 2007

Expiration Date: ~~November 30, 2012~~ **November 30, 2017**

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

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, F097-24114-00088, is issued for a fixed term of ~~five (5)~~ **ten (10)** years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date 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.

IDEM, OAQ has decided to make additional revisions to the permit as described below. The permit has been revised as follows with deleted language as ~~strikeouts~~ and new language **bolded**:

3. Several of IDEM's branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to "Permit Administration and Development Section" and the "Permits Branch" have been changed to "Permit Administration and Support Section". References to "Asbestos Section", "Compliance Data Section", "Air Compliance Section", and "Compliance Branch" have been changed to "Compliance and Enforcement Branch". The permit has been revised as follows:

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

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

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

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Jillian Bertram, of my staff, at 317-234-5377or 1-800-451-6027, and ask for extension 4-5377.

Sincerely,

Iryn Calilung, Section Chief
Permits Branch
Office of Air Quality

Attachments: Updated Permit

IC/JLB

cc: File - Marion County
Marion County Health Department
U.S. EPA, Region V
Compliance and Enforcement Branch
Billing, Licensing and Training Section

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
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Indianapolis, Indiana 46204-2251
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www.in.gov/idem

Federally Enforceable State Operating Permit Renewal
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

Rieth-Riley Construction Company, Inc.
2605 South Kentucky Avenue
Indianapolis, Indiana 46241

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

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

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.

Operation Permit No.: F097-24114-00088	
Original Signed by Felicia A. Robinson, Administrator Office of Environmental Services	Issuance Date: November 30, 2007 Expiration Date: November 30, 2017
First Administrative Amendment No.: F097- 27905-00088	
Issued by: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: May 15, 2009 Expiration Date: November 30, 2017

TABLE OF CONTENTS

A. SOURCE SUMMARY 5
A.1 General Information [326 IAC 2-8-3(b)]
A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]
A.3 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-8-3(c)(3)(I)]
A.4 FESOP Applicability [326 IAC 2-8-2]

B. GENERAL CONDITIONS 7
B.1 Definitions [326 IAC 2-8-1]
B.2 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]
B.3 Term of Conditions [326 IAC 2-1.1-9.5]
B.4 Enforceability [326 IAC 2-8-6]
B.5 Severability [326 IAC 2-8-4(4)]
B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]
B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]
B.8 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]
B.9 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]
B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]
B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]
B.12 Emergency Provisions [326 IAC 2-8-12]
B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]
B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]
B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]
B.16 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]
B.17 Permit Renewal [326 IAC 2-8-3(h)]
B.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]
B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]
B.20 Source Modification Requirement [326 IAC 2-8-11.1]
B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2] [IC 13-30-3-1]
B.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]
B.23 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]
B.24 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]

C. SOURCE OPERATION CONDITIONS 17

Emission Limitations and Standards [326 IAC 2-8-4(1)]
C.1 Overall Source Limit [326 IAC 2-8]
C.2 Opacity [326 IAC 5-1]
C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
C.5 Fugitive Dust Emissions [326 IAC 6-4]
C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]
C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

Testing Requirements [326 IAC 2-8-4(3)]
C.8 Performance Testing [326 IAC 3-6]

Compliance Requirements [326 IAC 2-1.1-11]
C.9 Compliance Requirements [326 IAC 2-1.1-11]

Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]
C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]
C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]
C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]

Corrective Actions and Response Steps [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]
C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
C.14 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]
C.15 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]
C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4] [326 IAC 2-8-5]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]
C.17 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]
C.18 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

Stratospheric Ozone Protection
C.19 Compliance with 40 CFR 82 and 326 IAC 22-1

D.1. EMISSIONS UNIT OPERATION CONDITIONS 24

Emission Limitations and Standards [326 IAC 2-8-4(1)]
D.1.1 Particulate Matter (PM) [326 IAC 6.5-1-2] [326 IAC 2-2]
D.1.2 Particulate Matter less than 10 microns (PM10) [326 IAC 2-8-4] [326 IAC 2-2]
D.1.3 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-2]
D.1.4 Sulfur Dioxide (SO_2) [326 IAC 2-8-4] [326 IAC 2-2]
D.1.5 Nitrogen Oxides (NOx) [326 IAC 2-8-4] [326 IAC 2-2]
D.1.6 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-3]
D.1.7 Hazardous Air Pollutants (HAPs) [326 IAC 2-8-4] [326 IAC 2-2]
D.1.8 Carbon Monoxide (CO) [326 IAC 2-8-4] [326 IAC 2-2]
D.1.9 Miscellaneous Operations: Asphalt Paving [326 IAC 8-5-2]
D.1.10 Preventative Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements
D.1.11 Testing Requirements [326 IAC 2-8-5(1), (4)] [326 IAC 2-1.1-11]
D.1.12 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3-7-4]
D.1.13 Hydrogen Chloride Emissions and Chlorine Content
D.1.14 Particulate Matter

Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]
D.1.15 Parametric Monitoring
D.1.16 Broken or Failed Bag Detection
D.1.17 Visible Emissions Notations

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]
D.1.18 Record Keeping Requirement
D.1.19 Reporting Requirements

E. EMISSIONS UNIT OPERATION CONDITIONS (Entire Source) 33

New Source Performance Standards (NSPS) Requirements

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

E.2 Standards of Performance for Hot Mix Asphalt Facilities [40 CFR 60 Subpart I] [40 CFR 60.24(f)(3)]

Certification Form 35
Emergency Occurrence Form 36
FESOP Usage Report Form ..... 38 - 43
Quarterly Deviation and Compliance Monitoring Report Form 44
Attachment A - Asphalt Fugitive Dust Plan

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)]

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

Source Address:	2605 South Kentucky Avenue, Indianapolis, IN 46241
Mailing Address:	P.O. Box 477, Goshen, Indiana 46527
General Source Phone Number:	(574) 875-5183
SIC Code:	2951
County Location:	Marion
Source Location Status:	Nonattainment for 8-hour ozone standard Nonattainment for PM 2.5 standard Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD, Emission Offset Rules, and Nonattainment NSR 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)]

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

(a) One (1) Batch Mixer (unit ID 2), with a maximum capacity of 400 tons of hot mix asphalt production per hour, and one (1) 150 million Btu per hour Aggregate Dryer. The primary fuel source is landfill gas with No. 4 waste oil, natural gas, No. 2 oil, No. 4 oil, butane, and propane as backup. Particulate emissions are controlled by one (1) baghouse, blower rated at 70,000 acfm and exhausting at stack 1. The Batch Mixer was installed in 1997.

(b) One (1) Hot Oil Heater, 2.2 million Btu per hour maximum rated capacity burning No. 2 oil and natural gas. The Hot Oil Heater exhausts at stack 2. The unit was installed in 2006.

Under NSPS Subpart I, the hot mix asphalt facility is an affected source.

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

This stationary source also includes the following insignificant activities:

(a) One (1) 25,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1983.

(b) One (1) 20,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1996.

(c) One (1) 15,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1983.

(d) Three (3) 10,000 gallon double walled VOL Storage Tanks, installed in 2006.

(e) Petroleum fuel (excluding gasoline) dispensing facilities having storage capacities less than or equal to 10,500 gallons and dispensing less than or equal to 230,000 gallons per month;

(f) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids;

(g) Vehicle travel on paved roads, unpaved roads, and parking lots;

(h) Aggregate stockpiles;

(i) Conveying, transferring, and transportation of aggregates by vehicles;

(j) Loading and unloading of material.

(k) One (1) 15,000 gallon asphalt storage tank, installed in 2006.

(l) One (1) AC tank burner with a maximum capacity of 1.5 MMBtu per hour burning natural gas and No. 2 fuel oil constructed in 2006.

Under NSPS Subpart I, the hot mix asphalt facility is an affected source.

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

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

SECTION B GENERAL CONDITIONS

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

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

B.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, F097-24114-00088, is issued for a fixed term of ten (10) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date 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]

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 [326 IAC 2-8-6]

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

B.5 Severability [326 IAC 2-8-4(4)]

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

B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

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

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an "authorized individual" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.9 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

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

(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 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, as IDEM, OAQ may require to determine the compliance status of the source.

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

B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ 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 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

(b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ 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(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.12 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 describe 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 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 Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865

(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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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 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 by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.

(g) Operations may continue during an emergency only if the following conditions are met:

(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

(A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and

(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of permits established prior to F097-24114-00088 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.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

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

B.15 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 Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

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

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.16 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 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 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 at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and 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(1).

Request for renewal shall be submitted to:

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

(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 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 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 any additional information identified as being needed to process the application.

B.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

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

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

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

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

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) without a 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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)

77 West Jackson Boulevard
Chicago, Illinois 60604-3590

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ 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.20 Source Modification Requirement [326 IAC 2-8-11.1]

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

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee’s right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, 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.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

(a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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 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.23 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.24 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

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

C.1 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.

(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) The 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. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on 3/19/1996. The plan is included as Attachment A.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

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

All required notifications shall be submitted to:

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

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.

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

C.8 Performance Testing [326 IAC 3-6]

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

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

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

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 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, 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.9 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

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).

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

C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.

(b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

(a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on February 20, 1990.

(b) Upon direct notification by IDEM, OAQ 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.14 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.15 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; and/or

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

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

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

(c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by 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.17 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.18 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 IAC 2-1.1-1(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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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.

Stratospheric Ozone Protection

C.19 Compliance with 40 CFR 82 and 326 IAC 22-1

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

(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

(b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

(c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

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

(a) One (1) Batch Mixer (unit ID 2), with a maximum capacity of 400 tons of hot mix asphalt production per hour, and one (1) 150 million Btu per hour Aggregate Dryer. The primary fuel source is landfill gas with No. 4 waste oil, natural gas, No. 2 oil, No. 4 oil, butane, and propane as backup. Particulate emissions are controlled by one (1) baghouse, blower rated at 70,000 acfm and exhausting at stack 1. The Batch Mixer was installed in 1997.

(b) One (1) Hot Oil Heater, 2.2 million Btu per hour maximum rated capacity burning No. 2 oil and natural gas. The Hot Oil Heater exhausts at stack 2. The unit was installed in 2006.

Under NSPS Subpart I, the hot mix asphalt facility is considered an affected source.

(The information describing the process contained in this emissions unit 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 2-2]

(a) Pursuant to 326 IAC 6.5-1-2(c), particulate emissions from the batch mixer and aggregate dryer combined shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

(b) The PM emissions from the batch mixer and aggregate dryer combined shall be limited to 0.16 pound per ton (lb/ton) of hot mix asphalt produced.

(c) The total hot mix asphalt production shall be limited to less than 1,000,000 tons per 365 consecutive day period with compliance determined at the end of each day.

(d) The input of No. 4 waste oil and No.4 waste oil equivalencies to the 150 MMBtu/hr aggregate dryer shall be limited to less than 1696.82 kilo-gallons (kgal) per 365 consecutive day period with compliance determined at the end of each day.

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of PM to less than 250 tons per twelve (12) consecutive month period. Therefore the requirements of 326 IAC 2-2 are not applicable.

D.1.2 Particulate Matter less than 10 microns (PM10) [326 IAC 2-8-4] [326 IAC 2-2]

(a) Pursuant to 326 IAC 2-8-4, PM10 emissions from the batch mixer and aggregate dryer combined shall be limited to 0.14 pounds per ton (lb/ton) of asphalt produced.

(b) The total hot mix asphalt production shall be limited to less than 1,000,000 tons per 365 consecutive day period with compliance determined at the end of each day.

(c) The input of No. 4 waste oil and No.4 waste oil equivalencies to the 150 MMBtu/hr aggregate dryer shall be limited to less than 1696.82 kilo-gallons (kgal) per 365 consecutive day period with compliance determined at the end of each day.

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of PM10 to less than 100 tons per twelve (12) consecutive month period. Therefore, the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 2-2 (Prevention of Significant Deterioration) are not applicable.

D.1.3 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2:

(a) The sulfur dioxide emissions from the 150 MMBtu/hr aggregate dryer burning distillate oil (No.2 and No.4) shall be limited to 0.5 pounds per million Btu (lbs/MMBtu) heat input.

(b) The sulfur dioxide emissions from the 150 MMBtu/hr aggregate dryer burning No. 4 waste oil shall be limited to 1.6 pounds per million Btu (lbs/MMBtu) heat input.

D.1.4 Sulfur Dioxide (SO_2) [326 IAC 2-8-4] [326 IAC 2-2]

(a) Pursuant to 326 IAC 2-8-4, the SO_2 emissions from the aggregate dryer shall be limited to 107 pounds of SO_2 per kilo-gallon of No. 4 waste oil combusted.

(b) The sulfur content of No. 4 waste oil used shall not exceed 2.24%.

(c) The input of No. 4 waste oil and No.4 waste oil equivalencies to the 150 MMBtu/hr aggregate dryer shall be limited to less than 1696.82 kilo-gallons (kgal) per 365 consecutive day period with compliance determined at the end of each day.

(d) For purposes of determining compliance based on SO_2 emissions:

(1) Every one (1) million cubic feet (MMCF) of natural gas shall be equivalent to 0.006 kilo-gallons (kgal) of No. 4 waste oil.

(2) Every 1000 gallons of No. 4 fuel oil shall be equivalent to 0.701 kilo-gallons (kgal) of No. 4 waste oil.

(3) Every 1000 gallons of No. 2 fuel oil shall be equivalent to 0.734 kilo-gallons (kgal) of No. 4 waste oil.

(4) Every 1000 gallons of Butane shall be equivalent to 0.001 kilo-gallons (kgal) of No. 4 waste oil (See Appendix A page 10).

(5) Every 1000 gallons of Propane shall be equivalent to 0.001 kilo-gallons (kgal) of No. 4 waste oil.

(6) Every cubic foot of landfill gas shall be equivalent to 0.000000264 kilo-gallons (kgal) of No. 4 waste oil.

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of SO_2 to less than 100 tons per twelve (12) consecutive month period. Therefore, the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 2-2 (Prevention of Significant Deterioration) are not applicable.

D.1.5 Nitrogen Oxides (NOx) [326 IAC 2-8-4] [326 IAC 2-2]

(a) Pursuant to 326 IAC 2-8-4, the NOx emissions from the aggregate dryer shall be limited to 47 pounds of NOx per kilo-gallon of No. 4 fuel oil combusted.

(b) The input of No. 4 fuel oil and No.4 fuel oil equivalencies to the 150 MMBtu/hr aggregate dryer shall be limited to less than 4114.04 kilo-gallons per 365 consecutive day period with compliance determined at the end of each day.

(c) For purposes of determining compliance based on NOx emissions:

(1) Every 1000 gallons of No. 4 waste oil shall be equivalent to 0.340 kilo-gallons (kgal) of No. 4 fuel oil.

(2) Every million cubic feet (MMCF) of natural gas shall be equivalent to 5.957 kilo-gallons (kgal) of No. 4 fuel oil.

(3) Every 1000 gallons of No. 2 fuel oil shall be equivalent to 0.511 kilo-gallons (kgal) of No. 4 fuel oil.

(4) Every 1000 gallons of Butane shall be equivalent to 0.447 kilo-gallons (kgal) of No. 4 fuel oil.

(5) Every 1000 gallons of Propane shall be equivalent to 0.404 kilo-gallons (kgal) of No. 4 fuel oil.

(6) Every cubic foot of landfill gas shall be equivalent to 0.000000602 kilo-gallons (kgal) of No. 4 fuel oil.

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of NOx to less than 100 tons per twelve (12) consecutive month period. Therefore, the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 2-2 (Prevention of Significant Deterioration) are not applicable.

D.1.6 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-3]

Pursuant to 326 IAC 2-8-4, the VOC solvent used as a diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that less than 42.77 tons of VOC is emitted per 365 consecutive day period, with compliance determined at the end of each day. This shall be achieved by limiting the total VOC solvent of any one selected binder as follows (when more than one (1) type of binder is used, the formula in paragraph 6 shall be applied):

(1) Cutback asphalt rapid cure liquid binder usage shall not exceed 45.02 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, with rolled on a daily basis.

(2) Cutback asphalt medium cure liquid binder usage shall not exceed 61.1 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, with rolled on a daily basis.

(3) Cutback asphalt slow cure liquid binder usage shall not exceed 171.08 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, with rolled on a daily basis.

(4) Emulsified asphalt with solvent liquid binder usage shall not exceed 92.17 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, with rolled on a daily basis.

(5) Other asphalt with solvent liquid binder shall not exceed 1,710.80 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, with rolled on a daily basis.

(6) The VOC solvent allotments in (1) through (5) above 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.

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of equivalent VOC rapid cure binder usage}$$

Type of binder	Tons VOC Solvent	Adjustment Ratio	Tons Equivalent Rapid Cure Binder Usage
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 45.02 tons per 365 consecutive day period rolled on a daily basis

(7) Liquid binders used in the production of cold mix asphalt shall be defined as follows:

(A) 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.

(B) 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.

(C) 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.

(D) 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

(E) 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

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of VOC to less than 100 tons per twelve (12) consecutive month period. Therefore, the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 2-3 (Emission Offset) are not applicable

D.1.7 Hazardous Air Pollutants (HAPs) [326 IAC 2-8-4] [326 IAC 2-2]

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

(a) The lead emissions from the aggregrate dryer shall be limited to 5 pounds lead per kilogallon (lb/kgal) of No. 4 waste oil combusted.

(b) The input of No. 4 waste oil and No.4 waste oil equivalencies to the 150 MMBtu/hr aggregate dryer shall be limited to less than 1696.82 kilogallons (kgal) per 365 consecutive day period with compliance determined at the end of each day.

(c) The HCl emissions from aggregate dryer when combusting No. 4 waste oil shall be limited to less than 9.5 tons per 365 consecutive day period with compliance determined at the end of each day.

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of lead to less than 5 tons per 365 consecutive day period, each single HAP to less than 10 tons per 365 consecutive day period, and any combination of HAPs to less than 25 tons per twelve (12) consecutive month period. Therefore, the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 2-2 (PSD) are not applicable.

D.1.8 Carbon Monoxide (CO) [326 IAC 2-8-4] [326 IAC 2-2]

(a) Pursuant to 326 IAC 2-8-4, the CO emissions from the batch mixer shall be limited to 0.13 pounds CO per ton of hot mix asphalt produced.

(b) The total hot mix asphalt production shall be limited to less than 1,000,000 tons per 365 consecutive day period with compliance determined at the end of each day.

Compliance with these limits, combined with the potential emissions from all other units at this source, will limit the source-wide potential to emit of CO to less than 100 tons per twelve (12) consecutive month period. Therefore, the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 2-2 (Prevention of Significant Deterioration) are not applicable.

D.1.9 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 seven (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.1.10 Preventative Maintenance Plan [326 IAC 2-8-4(9)]

A Preventative Maintenance Plan, in accordance with Section B - Preventative Maintenance Plan, of this permit, is required for the batch mixer/aggregate dryer and its control device.

Compliance Determination Requirements

D.1.11 Testing Requirements [326 IAC 2-8-5(1), (4)[326 IAC 2-1.1-11]

In order to demonstrate compliance with D.1.1 and D.1.2, the Permittee shall perform PM and PM10 testing on the batch mixer/aggregate dryer before September 25, 2008 utilizing methods as approved by IDEM, OAQ. PM10 includes filterable and condensible PM10. This test shall be

repeated at least once every five (5) years from the date of the most recent compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.1.12 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3-7-4]

(a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed five-tenths (0.5) pounds per million Btu heat input when burning No.2 and No.4 fuel oil and 1.6 pounds per million Btu heat input when burning No.4 waste oil by:

(1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or

(2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.

(A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and

(B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

(b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 150 MMBtu per hour aggregate dryer, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

D.1.13 Hydrogen Chloride Emissions and Chlorine Content

(a) In order to demonstrate compliance with condition D.1.7(c), the Permittee shall use the following equation:

$$E = (U \times 66Cl) + P$$

Where E = actual HCl emissions per 365 consecutive day period
U = actual No. 4 waste oil used in kilogallon per day
Cl = weight percent of Cl in waste oil per day
P = actual HCl emissions previous 364 consecutive day period

(b) In order to determine the weight percent of Cl from the No.4 waste oil combusted, the Permittee shall use a vendor analysis of the fuel delivered accompanied by a vendor certification.

D.1.14 Particulate Matter

In order to comply with permit conditions D.1.1 and D.1.2, the baghouse for particulate control shall be in operation and control emissions from the mixing and drying operation at all times when the mixing and drying operations are in operation.

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

D.1.15 Parametric Monitoring

The Permittee shall record the pressure drop across the baghouse used in conjunction with the batch mixer/aggregate dryer, at least once per day when the batch mixer/aggregate dryer is in operation when venting to the atmosphere. When, for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 to 8.0 inches of water or a range established during the last stack test, the Permittee shall take reasonable response steps in accordance with

Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit

The instrument used for measuring the pressure drop shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated, maintained, and operated according to the Preventive Maintenance Plan.

D.1.16 Broken or Failed Bag Detection

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit~~s~~ and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the 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 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.1.17 Visible Emissions Notations

(a) Visible emission notations of the baghouse exhaust stack shall be performed once per day during normal daylight operations when the respective facilities are in operation. 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.

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

D.1.18 Record Keeping Requirement

(a) To document compliance with Condition D.1.1, D.1.2, and D.1.8, the Permittee shall maintain the amount of asphalt production as follows:

(1) Amount of hot mix asphalt produced each day, and

(2) Amount of hot mix asphalt produced in the last 365 days.

(b) To document compliance with Condition D.1.1, D.1.2, D.1.4 and D.1.7, the Permittee shall maintain daily records of the input of No. 4 waste oil and No.4 waste oil equivalencies to the aggregate burner.

(c) To document compliance with Condition D.1.3 and D.1.7**,** the Permittee shall maintain records in accordance with (1) through (7) below.

(1) Calendar dates covered in the compliance determination period;

(2) Actual fuel oil (No.2, No. 4, and No.4 waste oil) usage since last compliance determination period and equivalent sulfur dioxide and hydrogen chloride 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.

(7) A statement from the fuel supplier that certifies the chlorine content of the waste 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.

(d) To document compliance with Condition D.1.5, the Permittee shall maintain daily records of the input of No.4 fuel oil and No.4 fuel oil equivalencies to the aggregate burner.

(e) To document compliance with Condition D.1.6, VOC records shall document VOC usage as follows:

(1) Amount and type of liquid binder used in the production of cold mix asphalt each day.

(2) 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.

(f) To document compliance with Condition D.1.15, the Permittee shall maintain a daily record of the pressure drop across the baghouse used in conjunction with the batch mixer/aggregate dryer. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (i.e. the process did not operate that day).

(g) To document compliance with Condition D.1.17, the Permittee shall maintain a daily record of visible emission notations of the stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (i.e. the process did not operate that day).

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

D.1.19 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.1, D.1.2, D.1.4, D.1.5, D.1.6, D.1.7, and D.1.8 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).

SECTION E NSPS REQUIREMENTS

Emissions Unit Description: Entire Source

This section applies to the hot mix asphalt plant.

Under NSPS Subpart I, the hot mix asphalt facility is an affected source.

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

New Source Performance Standards (NSPS) Requirements

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

(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 hot mix 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.2 Standards of Performance for Hot Mix Asphalt Facilities [40 CFR 60 Subpart I] [40 CFR 60.24(f)(3)]

Pursuant to 40 CFR Part 60, Subpart I, the Permittee shall comply with the provisions of the NSPS, for the hot mix asphalt plant specified as follows:

§ 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.

§ 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.

§ 60.92 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted 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.

§ 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 sampling 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.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088

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 AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) EMERGENCY OCCURRENCE REPORT

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088

This form consists of 2 pages **Page 1 of 2**

☐ This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
- 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

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

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A **Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:_____

Title / Position:_____

Date:_____

Phone: _____

A certification is not required for this report.

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

FESOP Usage Report
(Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088
Facility: Entire Plant
Parameter: Tons of hot mix asphalt produced
Limit: The total asphalt production shall be limited to less than 1,000,000 tons per 365 consecutive day period with compliance determined at the end of each day.

Month: _____ **Year:** _____

Day	Tons of asphalt produced (this day)	Tons of asphalt produced (last 364 day)	Tons of asphalt produced (365 day total)	Day	Tons of asphalt produced (this day)	Tons of asphalt produced (last 364 day)	Tons of asphalt produced (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

☐ No deviation occurred in this month.

☐ Deviation/s occurred in this month.
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 AND ENFORCEMENT BRANCH

FESOP Usage Report
(Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088
Facility: Aggregate Dryer
Parameter: Gallons of No. 4 waste oil burned in the aggregate dryer
Limit: The input of No. 4 waste oil (with a sulfur content of 2.24%) to the 150 MMBtu/hr aggregate dryer shall be limited to less than 1696.82 kilo-gallons (kgal) per 365 consecutive day period with compliance determined at the end of each day, where each million cubic of natural gas is equivalent to 0.006 kilo-gallons on No.4 waste oil, each 1000 gallons of No.4 fuel oil is equivalent to 0.701 kilo-gallons of No.4 waste oil, each 1000 gallons of No.2 fuel oil is equivalent to 0.734 kilo-gallons of No.4 waste oil, each 1000 gallons of Butane is equivalent to 0.001 kilo-gallons of No.4 waste oil, each 1000 gallons of Propane is equivalent to 0.001 kilo-gallons of No. 4 waste oil, and each cubic foot of landfill gas is equivalent to 0.000000264 kilo-gallons of No. 4 waste oil.

Month: _____ **Year:** _____

Day	Gallons of No. 4 waste oil or equivalent burned (this day)	Gallons of No. 4 waste oil or equivalent burned (last 364 day)	Gallons of No. 4 waste oil or equivalent burned (365 day total)	Day	Gallons of No. 4 waste oil or equivalent burned (this day)	Gallons of No. 4 waste oil or equivalent burned (last 364 day)	Gallons of No. 4 waste oil or equivalent burned (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

☐ 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 AND ENFORCEMENT BRANCH

FESOP Usage Report
(Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088
Facility: Aggregate Dryer
Parameter: Gallons of No.4 fuel oil burned in the aggregate dryer
Limit: The input of No. 4 fuel oil (with a sulfur content of 0.5%) to the 150 MMBtu/hr aggregate dryer shall be limited to less than 4114.04 kilo-gallons (kgal) per 365 consecutive day period with compliance determined at the end of each day, where each million cubic of natural gas is equivalent to 5.957 kilo-gallons on No.4 fuel oil, each 1000 gallons of No.4 waste oil is equivalent to 0.340 kilo-gallons of No.4 fuel oil, each 1000 gallons of No.2 fuel oil is equivalent to 0.511 kilo-gallons of No.4 fuel oil, each 1000 gallons of Butane is equivalent to 0.447 kilo-gallons of No.4 fuel oil, each 1000 gallons of Propane is equivalent to 0.404 kilo-gallons of No. 4 fuel oil, and each cubic foot of landfill gas is equivalent to 0.000000602 kilo-gallons of No. 4 fuel oil

Month: _____ **Year:** _____

Day	Gallons of No. 4 fuel oil or equivalent burned (this day)	Gallons of No. 4 fuel oil or equivalent burned (last 364 day)	Gallons of No. 4 fuel oil or equivalent burned (365 day total)	Day	Gallons of No. 4 fuel oil or equivalent burned (this day)	Gallons of No. 4 fuel oil or equivalent burned (last 364 day)	Gallons of No. 4 fuel oil or equivalent burned (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

☐ 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 AND ENFORCEMENT BRANCH

FESOP Usage Report
(Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088
Facility: Cold-mix cutback asphalt production
Parameter: VOC emissions
Limit: The VOC solvent used as a diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that less than 42.77 tons of VOC is emitted per 365 consecutive day period, with compliance determined at the end of each day.

Month: _____ **Year:** _____ **Page 1 of 2**

Day	Type of Binder used This Day	Tons of Mix Made This Day (tons)	Binder Content of Cold Mix Today (tons)	Diluent Content in Binder (%)	Diluent Usage This Day (tons)	VOC Evaporation From Diluent (%)	VOC Emissions This Day (tons)	Diluent Usage Previous 364 days (tons)	VOC Emissions Previous 364 days (tons)	Diluent Usage 365 Day Total (tons)	VOC Emissions 365 Day Total (tons)	VOC Emissions Limit (tons)
1												42.77
2												42.77
3												42.77
4												42.77
5												42.77
6												42.77
7												42.77
8												42.77
9												42.77
10												42.77
11												42.77
12												42.77
13												42.77
14												42.77
15												42.77

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

FESOP Usage Report
(Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088
Facility: Cold-mix cutback asphalt production
Parameter: VOC usage
Limit: The VOC solvent used as a diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that less than 42.77 tons of VOC is emitted per 365 consecutive day period, with compliance determined at the end of each day.

Month: _____ **Year:** _____ **Page 2 of 2**

Day	Type of Binder used This Day	Tons of Mix Made This Day (tons)	Binder Content of Cold Mix Today (tons)	Diluent Content in Binder (%)	Diluent Usage This Day (tons)	VOC Evaporation From Diluent (%)	VOC Emissions This Day (tons)	Diluent Usage Previous 364 days (tons)	VOC Emissions Previous 364 days (tons)	Diluent Usage 365 Day Total (tons)	VOC Emissions 365 Day Total (tons)	VOC Emissions Limit (tons)
16												42.77
17												42.77
18												42.77
19												42.77
20												42.77
21												42.77
22												42.77
23												42.77
24												42.77
25												42.77
26												42.77
27												42.77
28												42.77
29												42.77
30												42.77
31												42.77

☐ No deviation occurred in this quarter. ☐ Deviation/s occurred in this quarter. Deviation has been reported on:_____
Submitted by: _____ Title / Position: _____
Date: _____ Phone: _____

Attach a signed certification to complete this report

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

FESOP Usage Report
(Submit Report Quarterly)

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088
Facility: Aggregate Dryer
Parameter: HCl emissions
Limit: The HCl emissions from aggregate dryer when combusting No. 4 waste oil shall be limited to less than 9.5 tons per 365 consecutive day period with compliance determined at the end of each day. Compliance with this limit will be determined by the following equation:

$$E = (U \times 66Cl) + P$$

Where E = actual HCl emissions per 365 consecutive day period
U = actual No. 4 waste oil used in kilogallon per day
Cl = weight percent of Cl in waste oil per day
P = actual HCl emissions previous 364 consecutive day period

Month: _____ **Year:** _____

Day	HCL emissions (this day)	HCl emissions (last 364 day)	HCl emissions (365 day total)	Day	HCL emissions (this day)	HCl emissions (last 364 day)	HCl emissions (365 day total)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

☐ 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 AND ENFORCEMENT BRANCH
FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Rieth-Riley Construction Company, Inc.
Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241
Mailing Address: P.O. Box 477, Goshen, Indiana 46527
FESOP Permit No.: F097-24114-00088

Months: _____ **to** _____ **Year:** _____

Page 1 of 2

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

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

Form Completed by:_____

Title / Position:_____

Date:_____

Phone: _____

Attach a signed certification to complete this report.