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: July 31, 2009

RE: Indiana Biofuels, Inc. / 145-28241-00066

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

Notice of Decision: Revocation

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

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition describing your intent must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER-REV.dot 1/2/08

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Ram Ajjarapu
Nexgen Biofuels, Inc.
8905 Regents Park Drive, #210
Tampa, FL 33647

July 31, 2009

Re: 145-28241-00066
Revocation of FESOP No. 145-23832-00066

Dear Mr. Ajjarapu:

Indiana Biofuels, Inc. was issued a Federally Enforceable State Operating Permit (FESOP) No. 145-23832-00066 on March 7, 2007, for a stationary fuel ethanol production plant, located at CE 600 E & CR 1100 N, Morristown, IN 46161. On July 20, 2009, the Office of Air Quality (OAQ) received a letter from the source requesting that the FESOP be revoked, since all emission units have been removed from the source.

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

The FESOP No. 145-23832-00066 issued on March 7, 2007, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

Please be advised that once this revocation is effective the source will no longer have approval to operate any emission units at this source. In addition, if there is a need in the future to operate any units at this source, construction and operation approval will be necessary pursuant to Indiana's New Source Review regulations. Once effective, this revocation can not be withdrawn or rescinded.

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

If there are any questions about this revocation, please contact Mary Maass, at 317-4-5077 or at 1-800-451-6027 (ext 45077).

Sincerely,

Iryn Calilung

Iryn Calilung, Section Chief
Permits Branch
Office of Air Quality

IC/MM

cc: File - Shelby County
Shelby County Health Department
Compliance and Enforcement Branch
Billing, Licensing and Training Section

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

TO: Ram Ajjarapu
Indiana Biofuels, Inc.
8905 Regents Park Dr. # 210
Tampa FL 33647

DATE: July 31, 2009

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

SUBJECT: Final Decision
Revocation
145-28241-00066

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

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

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

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

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	BLOCCHET 7/31/2009 Indiana Biofuels, Inc. 145-28241-00066 (final)			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	▶	Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: **CERTIFICATE OF MAILING ONLY**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Ram Indiana Biofuels, Inc. 8905 Regents Park Dr #210 Tampa FL 33647 (Source CAATS)***Via Confirmed Delivery***									
2		Mr. Charles L. Berger Attorney Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 *(Affected Party)*									
3		Mr. Hugh Garner 10203 S Degelow Road Milroy IN 46156 *(Affected Party)*									
4		Morristown Town Council and Town Manager P.O. Box 389 Morristown IN 46161 *(Local Official)*									
5		Shelby County Commissioners 25 West Polk Shelbyville IN 46176 *(Local Official)*									
6		P & W Investments, LLC PO Box 212 Morristown IN 46161 *(Affected Party)*									
7		Shelby County Health Department 1600 E. SR 44B Shelbyville IN 46176 *(Health Department)*									
8		Steve and Lori Ferguson 2045 W. Boggstown Rd. Shelbyville IN 46176 *(Affected Party)*									
9		Mike and Denise Coffey 2088 W. Boggstown Rd. Shelbyville IN 46176 *(Affected Party)*									
10		Margaret Brunk Shelby County Council PO Box 107 Fountaintown In 46130 *(Affected Party)*									
11		Tami Grubbs Shelby County Council 2961 N 100 W Shelbyville In 46176 *(Affected Party)*									
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