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: December 2, 2009

RE: Orange County Concrete / 117 - 28681 - 00027

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

Notice of Decision: Approval - Effective Immediately

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

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

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

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

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

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

Enclosures
FNPER.dot12/03/07

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SOURCE SPECIFIC OPERATING AGREEMENT
OFFICE OF AIR QUALITY

Orange County Concrete, Inc.
409 E. Jefferson Street
Orleans, Indiana 47452

(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 SSOA.

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

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this SSOA, are those applicable at the time the SSOA was issued. The issuance or possession of this SSOA shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.

Source Specific Operating Agreement No. 117-28681-00027	
Issued by: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: December 2, 2009

SECTION A SOURCE SUMMARY

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

A.1 General Information

The Permittee owns and operates a stationary ready-mix concrete batch plant.

Source Address:	409 E. Jefferson Street, Orleans, Indiana 47452
Mailing Address:	409 E. Jefferson Street, P.O. Box 204, Orleans, Indiana 47452
General Source Phone Number:	(812) 865-2425
SIC Code:	3273
County Location:	Orange County
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Source Specific Operating Agreement (SSOA) Not 1 of 28 Source Categories

A.2 Source Summary

This stationary source consists of the following:

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

A.3 SSOA Applicability [326 IAC 2-9-1]

(a) This source, otherwise required to have a permit under 326 IAC 2-5.1, 326 IAC 2-5.5, 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8, has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) for a Source Specific Operating Agreement (SSOA) under 326 IAC 2-9.

(b) Pursuant to 326 IAC 2-9-1(g), the source may apply for up to four (4) different SSOAs contained in 326 IAC 2-9.

SECTION B GENERAL CONDITIONS

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

Terms in this SSOA shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-1.1-1) shall prevail.

B.2 Enforceability

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

B.3 Severability

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

B.4 Property Rights or Exclusive Privilege

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

B.5 Duty to Provide Information

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.6 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of permits established prior to SSOA No. 117-28681-00027 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.7 Annual Notification [326 IAC 2-9-1(d)]

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

(a) An annual notification shall be submitted by an authorized individual to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this SSOA.

(b) The annual notice shall be submitted in the format attached no later than January 30 of each year to:

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

(c) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

B.8 Source Modification Requirement [326 IAC 2-9-1(e)]

Pursuant to 326 IAC 2-9-1(e), before the Permittee modifies its operations in such a way that it will no longer comply with the applicable restrictions and conditions of this SSOA, it shall obtain the appropriate approval from IDEM, OAQ under 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-4.1, 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, and 326 IAC 2-8.

B.9 Inspection and Entry [326 IAC 2-5.1-3(e)(4)(B)] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

(a) Enter upon the Permittee's premises where a permitted source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.10 Permit Revocation [326 IAC 2-1.1-9] [326 IAC 2-9-1(j)]

(a) Pursuant to 326 IAC 2-1.1-9 (Revocation of Permits), this permit to operate may be revoked for any of the following causes:

(1) Violation of any conditions of this permit.

(2) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.

(3) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.

(4) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.

(5) For any cause which establishes in the judgment of IDEM the fact that continuance of this permit is not consistent with purposes of this article.

(b) Pursuant to 326 IAC 2-9-1(j), noncompliance with any applicable provision 326 IAC 2-9 or any requirement contained in this SSOA may result in the revocation of this SSOA and make this source subject to the applicable requirements of a major source.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

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

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

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

C.3 Reporting Requirements [326 IAC 2-9-1(h)]

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

SECTION D OPERATION CONDITIONS

Operation Description:

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

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

Emission Limitations and Standards [326 IAC 2-9]

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

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

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

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

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

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

(1) The visible emissions from any storage pile shall not exceed twenty percent (20%) in twenty-four (24) consecutive readings in a six (6) minute period. This limitation shall not apply during periods when application of control measures are ineffective or unreasonable due to sustained high wind speeds. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

(2) The visible emissions from unpaved roadways shall not exceed an average instantaneous opacity of twenty percent (20%). Average instantaneous opacity shall be the average of twelve (12) instantaneous opacity readings, taken for four (4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:

(A) The first reading shall be taken at the time of emission generation.

(B) The second reading shall be taken five (5) seconds after the first.

(C) The third reading shall be taken five (5) seconds after the second reading, or ten (10) seconds after the first reading.

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

(3) Visible emissions from the aggregate transferring processes shall not exceed an average instantaneous opacity of twenty percent (20%). The average instantaneous opacity shall be the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) material loading or unloading operation. The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

(b) Pursuant to 326 IAC 2-9-9(b)(8), the fugitive particulate emissions at the sand and gravel operation shall not escape beyond the property lines or boundaries of the source property, right of way, or easement on which the source is located pursuant to 326 IAC 6-4.

Compliance Determination Requirements [326 IAC 2-9]

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

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

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

(b) All cement transferring processes shall always be enclosed.

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

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

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

(a) The source shall keep annual production records of the concrete batch operation at the site on a calendar year basis.

(b) The source shall maintain records on the types of air pollution control devices used at the source and the operation and maintenance manuals for those control devices.

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

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

SOURCE SPECIFIC OPERATING AGREEMENT (SSOA)
ANNUAL NOTIFICATION

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

Company Name:	**Orange County Concrete, Inc**.
Address:	**409 E. Jefferson Street**
City:	**Orleans, Indiana 47452**
Phone #:	**(812) 865-2425**
SSOA #:	**117-28681-00027**

I hereby certify that Orange County Concrete, Inc. is:	☐ still in operation. ☐ no longer in operation.
I hereby certify that Orange County Concrete, Inc. is:	☐ in compliance with the requirements of SSOA 117-28681-00027. ☐ not in compliance with the requirements of SSOA 117-28681-00027.

Authorized Individual (typed):
Title:
Signature:
Date:

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

Noncompliance:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Commissioner

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(317) 232-8603
Toll Free (800) 451-6027
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SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: William J Puckett
Orange County Concrete
PO Box 204
Orleansm IN 47452

DATE: December 2, 2009

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

SUBJECT: Final Decision
SSOA
117 - 28681 - 00027

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:
Wendy Sprigler, Sec-Treasurer
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	LPOGOST 12/2/2009 Orange County Concrete, Inc. 117 - 28681 - 00027 (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**	

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1		William J Puckett Orange County Concrete, Inc. PO Box 204 Orleans IN 47452 (Source CAATS) Via confirmed delivery									
2		Wendy Sprigler Sec-Treasurer Orange County Concrete, Inc. PO Box 204 Orleans IN 47452 *(RO CAATS)*									
3		Mr. Randy Brown Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 *(Affected Party)*									
4		Mr. Alec Kalla 8733 W. Summit Circle Drive French Lick IN 47432 *(Affected Party)*									
5		Orleans Town Council P.O. Box 271 Orleans IN 47452 *(Local Official)*									
6		Orange County Commissioners 205 East Main Street Paoli IN 47454 *(Local Official)*									
7		Paoli Town Council 110 N. Gospel St. Paoli IN 47454 *(Local Official)*									
8		Orange County Health Department 205 E Main Street Paoli IN 47454-1591 *(Health Department)*									
9		Mr. John Blair 800 Adams Ave Evansville IN 47713 *(Affected Party)*									
10		CSX Transportation 500 Water Street J 200 Jacksonville FL 32202 *(Affected Party)*									
11		Lucille Powell 566 E Jefferson Street Orleans IN 47452 *(Affected Party)*									
12		Chad Elrod 702 W Jefferson Street Orleans IN 47452 *(Affected Party)*									
13		Van Boner 5927 N Co Road 100 W Orleans IN 47452 (Affected Party)									
14											
15											

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