



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

TO: Interested Parties / Applicant  
DATE: March 9, 2010  
RE: U.S. Aggregates, Inc. / 089-29019-05256  
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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Mr. Douglas Lozier  
U.S. Aggregates, Inc.  
5400 West 86th Street  
Indianapolis, IN 46268

March 9, 2010

Re: 089-29019-05256  
Revocation of Part 70 Operation Permit No. 089-  
21828-05256

Dear Mr. Lozier:

U.S. Aggregates, Inc. was issued an administrative Part 70 Operating Permit as a contractor for U.S. Steel on November 14, 2006, for a portable screening and sizing operation, located at 1 North Broadway, Gary, Indiana. On February 25, 2010, the Office of Air Quality (OAQ) received a letter from the source requesting that the administrative Part 70 Operating Permit be revoked, since all emission units have been removed from the U.S. Steel location.

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 equipment associated with this permit is no longer in operation, the administrative Part 70 Operating Permit is no longer required.

The administrative Part 70 Operating Permit No. 089-21828-05256 issued on November 14, 2006, 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 equipment associated with this approval at this location. In addition, if there is a need in the future to operate new 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](http://www.idem.in.gov)

If there are any questions about this revocation, please contact Roger Osburn, at 317-233-0242 or at 1-800-451-6027 (ext 3-0242).

Sincerely,



Chrystal Wagner, Section Chief  
Permits Branch  
Office of Air Quality

RLO

cc: File - Lake County  
Lake 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:** Douglas Lozier  
U.S. Aggregates, Inc.  
5400 W 86th St  
Indianapolis, IN 46268

**DATE:** March 9, 2010

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

**SUBJECT:** Final Decision  
Revocation  
089-29019-05256

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:  
Ken Robinson, Responsible Official  
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

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|----------------------------|---|---|--|
| IDEM Staff                 | DPABST 3/9/2010<br>USS -U.S. Aggregates, Inc.-contractor of US Steel 089-29019-05256 (Final)  |   | AFFIX STAMP<br>HERE IF<br>USED AS<br>CERTIFICATE<br>OF MAILING |
| Name and address of Sender |  Indiana Department of Environmental Management<br>Office of Air Quality – Permits Branch<br>100 N. Senate<br>Indianapolis, IN 46204 | Type of Mail:<br><br><b>CERTIFICATE OF MAILING ONLY</b> |  |

| Line | Article Number | Name, Address, Street and Post Office Address   | Postage | Handling Charges | Act. Value (If Registered) | Insured Value | Due Send if COD | R.R. Fee | S.D. Fee | S.H. Fee | Rest. Del. Fee |
|------|----------------|---|---------|------------------|----------------------------|---------------|-----------------|----------|----------|----------|----------------|
|      |                |   |         |                  |                            |               |                 |          |          |          | Remarks        |
| 1    |                | Douglas Lozier USS -U.S. Aggregates, Inc.-contractor of US Steel 5400 W 86th St Indianapolis IN 46268 (Source CAATS) (CONFIRM DELIVERY) |         |                  |                            |               |                 |          |          |          |                |
| 2    |                | Ken Robinson USS -U.S. Aggregates, Inc.-contractor of US Steel 5400 W 86th St Indianapolis IN 46268 (RO CAATS)                          |         |                  |                            |               |                 |          |          |          |                |
| 3    |                | Gary - Hobart Water Corp 650 Madison St, P.O. Box M486 Gary IN 46401-0486 (Affected Party)  |         |                  |                            |               |                 |          |          |          |                |
| 4    |                | Lake County Health Department-Gary 1145 W. 5th Ave Gary IN 46402-1795 (Health Department)   |         |                  |                            |               |                 |          |          |          |                |
| 5    |                | WJOB / WZVN Radio 6405 Olcott Ave Hammond IN 46320 (Affected Party)   |         |                  |                            |               |                 |          |          |          |                |
| 6    |                | Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)                                      |         |                  |                            |               |                 |          |          |          |                |
| 7    |                | Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 (Affected Party)  |         |                  |                            |               |                 |          |          |          |                |
| 8    |                | Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 (Affected Party)                          |         |                  |                            |               |                 |          |          |          |                |
| 9    |                | Mark Coleman 9 Locust Place Ogden Dunes IN 46368 (Affected Party)   |         |                  |                            |               |                 |          |          |          |                |
| 10   |                | Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (Affected Party)         |         |                  |                            |               |                 |          |          |          |                |
| 11   |                | Craig Hogarth 7901 West Morris Street Indianapolis IN 46231 (Affected Party)  |         |                  |                            |               |                 |          |          |          |                |
| 12   |                | Lake County Commissioners 2293 N. Main St, Building A 3rd Floor Crown Point IN 46307 (Local Official)                                   |         |                  |                            |               |                 |          |          |          |                |
| 13   |                | Anthony Copeland 2006 E. 140th Street East Chicago IN 46312 (Affected Party)  |         |                  |                            |               |                 |          |          |          |                |
| 14   |                | Barbara G. Perez 506 Lilac Street East Chicago IN 46312 (Affected Party)  |         |                  |                            |               |                 |          |          |          |                |
| 15   |                | Mr. Robert Garcia 3733 Parrish Avenue East Chicago IN 46312 (Affected Party)  |         |                  |                            |               |                 |          |          |          |                |

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| Total number of pieces Listed by Sender | Total number of Pieces Received at Post Office | Postmaster, Per (Name of Receiving employee) | The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See <b>Domestic Mail Manual R900, S913, and S921</b> for limitations of coverage on inured and COD mail. See <b>International Mail Manual</b> for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels. |
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# Mail Code 61-53

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| IDEM Staff                 | DPABST 3/9/2010<br>USS -U.S. Aggregates, Inc.-contractor of US Steel 089-29019-05256 (Final) |   | AFFIX STAMP<br>HERE IF<br>USED AS<br>CERTIFICATE<br>OF MAILING |
| Name and address of Sender |             | Indiana Department of Environmental Management<br>Office of Air Quality – Permits Branch<br>100 N. Senate<br>Indianapolis, IN 46204 |  |

**CERTIFICATE OF MAILING ONLY**

| Line | Article Number | Name, Address, Street and Post Office Address                             | Postage | Handling Charges | Act. Value (If Registered) | Insured Value | Due Send if COD | R.R. Fee | S.D. Fee | S.H. Fee | Rest. Del. Fee<br>Remarks |
|------|----------------|---|---------|------------------|----------------------------|---------------|-----------------|----------|----------|----------|---------------------------|
| 1    |                | General US Steel One North Broadway Gary IN 46402 (Source ? addl contact) |         |                  |                            |               |                 |          |          |          |                           |
| 2    |                | Ms. Karen Kroczek 8212 Madison Ave Munster IN 46321-1627 (Affected Party) |         |                  |                            |               |                 |          |          |          |                           |
| 3    |                | Calumet Township Trustee 35 E 5th Avenue Gary IN 46402 (Affected Party)   |         |                  |                            |               |                 |          |          |          |                           |
| 4    |                | Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)     |         |                  |                            |               |                 |          |          |          |                           |
| 5    |                | Gary City Council 401 Broadway # 209 Gary IN 46402 (Local Official)       |         |                  |                            |               |                 |          |          |          |                           |
| 6    |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 7    |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 8    |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 9    |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 10   |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 11   |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 12   |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 13   |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 14   |                |   |         |                  |                            |               |                 |          |          |          |                           |
| 15   |                |   |         |                  |                            |               |                 |          |          |          |                           |

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