



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant

DATE: May 7, 2010

RE: J.H. Rudolph & Company / 163-29055-00186

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



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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May 7, 2010

Mr. Brian Peters, EHS Manager  
J. H. Rudolph & Company, Inc. - Evansville Plant  
534 Mozart St  
Tell City, IN 47586

Re: F163-29055-00186  
Third Administrative Amendment to  
F163-23182-00186 (formerly plant ID 163-03408)\*

Dear Mr. Peters:

The J. H. Rudolph & Company, Inc. - Evansville Plant was issued a Federally Enforceable State Operating Permit (FESOP) Renewal No. F163-23182-00186 on January 12, 2007 for a stationary drum-mix asphalt plant, located at 3300 S. Green River Road, Evansville, Indiana. On January 28, 2010, the Office of Air Quality (OAQ) received an application from the source requesting to increase their operational flexibility through the addition of steel slag and warm-mix asphalt to their permit. The attached Technical Support Document (TSD) provides additional explanation of the changes to the source/permit. This change in operation will be incorporated into the permit as an administrative amendment, since the potential emissions of regulated criteria pollutants and hazardous air pollutants are less than the ranges specified 326 IAC 2-8-11.1(d)(4) and 326 IAC 2-8-11.1(f)(1)(G), respectively. Pursuant to the provisions of 326 IAC 2-8-10, the permit is hereby administratively amended as described in the attached Technical Support Document (TSD).

\* Note: The plant ID was changed from 163-03408 to 163-00186 during SPR F163-27958-00186.

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](http://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 Ms. Hannah Desrosiers, of my staff, at 317-234-5374 or 1-800-451-6027, and ask for extension 4-5374.

Sincerely,

Iryn Calilung, Section Chief  
Permits Branch  
Office of Air Quality

Attachments: Technical Support Documents and revised permit

IC/hld

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



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**NEW SOURCE REVIEW AND FEDERALLY ENFORCEABLE STATE  
OPERATING PERMIT RENEWAL  
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY**

**J.H. Rudolph & Company, Inc.  
3300 S. Green River Road  
Evansville, Indiana 47715**

(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.

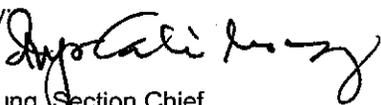
**The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. It shall not be a defense for the Permittee in 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. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-8-11.1, applicable to those conditions

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.: F163-23182-00186 (formerly plant ID 163-03408)	
Original signed by: Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: January 12, 2007  Expiration Date: January 12, 2017

First Administrative Amendment No.: F163-26043-00186, Issued February 19, 2008  
First Significant Permit Revision No.: F163-27958-00186, Issued September 16, 2009  
Second Administrative Amendment No.: F163-28549-00186, Issued November 18, 2009; and

Third Administrative Amendment No.: F163-29055-00186	Pages Affected: Entire permit.
Issued by  Iryn Callifung, Section Chief Permits Branch Office of Air Quality	Issuance Date: May 7, 2010  Expiration Date: January 12, 2017

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## 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 drum-mix asphalt plant (formerly identified under plant ID 163-03408), with the capability of producing both hot-mix and warm-mix asphalt, and a cold-mix asphalt production operation. This source processes steel slag in its aggregate mix.

Source Address:	3300 S. Green River Road, Evansville, Indiana 47715
Mailing Address:	PO Box 5226, Evansville, IN 47716
General Source Phone Number:	(812) 547-1400
SIC Code:	2951
County Location:	Vanderburgh
Source Location Status:	Nonattainment for PM2.5 standard Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD and Emission Offset Rules 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) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, processing steel slag in the aggregate mix, with a burner capacity of 116 million British thermal units per hour, and exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel, as available. This unit has the capability of processing both hot-mix and warm-mix asphalt;
- (b) An alternate drying process, used to dry magnetite, with a maximum capacity of 75,000 tons per year, exhausting through a baghouse at stack SV1;
- (c) One (1) baghouse with a total filter area of 13,149 ft<sup>2</sup>, exhausting at stack SV1;
- (d) One (1) recycled asphalt pavement (RAP) crusher, rated at 150 ton per hour, constructed in 1990;
- (e) One (1) 20,000 gallon liquid storage tank (ID # 12A) for PG 64-34, installed in 1996;
- (f) One (1) 30,000 gallon liquid asphalt storage tank (ID # 12B) for AC-10, installed in June 1990;
- (g) One (1) 30,000 gallon liquid asphalt storage tank (ID # 12C) for AC-20, installed in June 1990;
- (h) Two (2) 18,000 gallon tanks (ID # 16) for #2 fuel storage, installed in 1990; and
- (i) cold-mix (stockpile mix) asphalt manufacturing operations and storage piles.

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) Natural gas-fired combustion sources with a heat input equal to or less than 10 million British thermal units per hour;
  - (1) One (1) hot oil heater, fired by natural gas and rated at 2.10 million British thermal units per hour, and exhausting to stack SV2, installed in June 1990;
- (b) Propane or liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than 6 million British thermal units per hour;
- (c) Replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment;
- (d) A laboratory as defined in 326 IAC 2-7-1(21)(D);
- (e) paved roadways;
- (f) Two (2) storage silos, each with a maximum storage capacity of 200 tons, installed in May, 2002;
- (g) Three (3) storage silos, each with a maximum storage capacity of 300 tons, installed in June 1990;
- (h) Four (4) storage silos, each with a maximum storage capacity of 400 tons, installed in June 1990; and
- (i) One (1) 500 gallon gasoline storage tank, installed in 1990.

Under 40 CFR 63, Subpart CCCCC: National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, the 500 gallon gasoline storage tank, and associated gasoline fuel transfer and dispensing operations, is considered an affected facility.

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, F163-23182-00186 (formerly plant ID 163-03408), 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] [IC 13-17-12]**

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.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. 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) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:
- (i) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and
  - (ii) the certification is based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

- (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.

The Permittee shall implement the PMPs.

(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date 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

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.

(c) 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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (d) 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, SWRO 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 Office of Air Quality, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.

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

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- (a) All terms and conditions of permits established prior to F163-23182-00186 (formerly plant ID 163-03408) 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)]**

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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 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]**

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- (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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.16 Permit Renewal [326 IAC 2-8-3(h)]**

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- (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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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, pursuant to 326 IAC 2-8-3(g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 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 does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.18 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.19 Source Modification Requirement [326 IAC 2-8-11.1]**

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

**B.20 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]**

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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.21 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

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.22 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 no later than 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.23 Advanced Source Modification Approval [326 IAC 2-8-4(11)] [326 IAC 2-1.1-9]

- (a) The requirements to obtain a permit modification under 326 IAC 2-8-11.1 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.
- (b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.

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 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6 3 2(e)(2), particulate emissions from any process not exempt under 326 IAC 6 3 1(b) or (c) which has a maximum process weight rate less than one hundred (100) pounds per hour and the methods in 326 IAC 6 3 2(b) through (d) do not apply shall not exceed five hundred fifty-one thousandths (0.551) pounds per hour.

#### C.2 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) Pursuant to 326 IAC 2-2 (PSD), 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.

(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.3 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 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.4 Open Burning [326 IAC 4-1] [IC 13-17-9]

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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.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

C.6 Fugitive Dust Emissions [326 IAC 6-4]

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

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Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the attached plan as in Attachment A.

C.8 Stack Height [326 IAC 1-7]

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The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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- (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 demolitions 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 that meets the requirements of 326 IAC 2-8-5(a)(1) 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 Licensed 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 Licensed 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.10 Performance Testing [326 IAC 3-6]**

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- (a) For performance testing required by this permit, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.11 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(3)][326 IAC 2-8-5(a)(1)]**

### **C.12 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]**

Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or of initial start-up, whichever is later, to begin such monitoring. If due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance or the date of initial startup, whichever is later, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.13 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.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]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

- (a) The Permittee shall take reasonable response steps to 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 excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned or are returning 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 normal or usual manner of operation.
- (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 record the reasonable response steps 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 submit a description of its response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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]

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- (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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.
- (c) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
  - (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
    - (A) A description of the project.
    - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
    - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
      - (i) Baseline actual emissions;
      - (ii) Projected actual emissions;
      - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and
      - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:

- (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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 except that 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. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:  
  
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) 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.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
  - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and
  - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).

- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part 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

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

### **Stratospheric Ozone Protection**

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

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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 applicable standards for recycling and emissions reduction.

## SECTION D.1

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-8-4(10)]:

- (a) One (1) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, processing steel slag in the aggregate mix, with a burner capacity of 116 million British thermal units per hour, and exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel, as available. This unit has the capability of processing both hot-mix and warm-mix asphalt;
- (b) An alternate drying process, used to dry magnetite, with a maximum capacity of 75,000 tons per year, exhausting through a baghouse at stack SV1;
- (c) One (1) baghouse with a total filter area of 13,149 ft<sup>2</sup>, exhausting at stack SV1; and
- (d) One (1) recycled asphalt pavement (RAP) crusher, rated at 150 ton per hour, constructed in 1990.

(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 2-8-4(1)]

#### D.1.1 Particulate Matter (PM) [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2(a) (Nonattainment Area Particulate Limitations), particulate matter (PM) emissions from the aggregate mixing and drying operation and magnetite drying operation shall be limited to 0.03 grains per dry standard cubic foot (gr/dscf) for particulate matter. Compliance with this limit will also demonstrate compliance with the PM emission limit pursuant to 40 CFR 60.90, Subpart I.

#### D.1.2 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the RAP crusher shall not exceed 55.44 pounds per hour when operating at a process weight rate of 150 tons per hour.

The pound per hour limitation was calculated with the following equation:

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where: } E = \text{rate of emission in pounds per hour and} \\ P = \text{process weight rate in tons per hour}$$

#### D.1.3 PSD Minor Limit [326 IAC 2-2]

- (a) Particulate matter emissions from the aggregate dryer and mixer shall not exceed 0.148 pounds PM per ton of asphalt mix.
- (b) Particulate matter emissions from the magnetite drying operation shall not exceed 0.040 pounds PM per ton of magnetite.

Compliance with the above limits, in addition to the limit in condition D.1.6, will limit total source wide PM emissions to less than 250 tons per year. Therefore, compliance with this limit will render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

#### D.1.4 FESOP and PSD Limits [326 IAC 2-8-4] [326 IAC 2-2]

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Pursuant to 326 IAC 2-8-4, and in order to limit the SO<sub>2</sub> emissions from the aggregate dryer, the Permittee shall comply with the following:

- (a) The amount of steel slag used in the production of hot-mix and warm-mix asphalt, combined, shall not exceed 100,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) The calendar-month average sulfur content of the steel slag shall not exceed sixty-six hundredths percent (0.66%) by weight with compliance determined at the end of each month.
- (c) SO<sub>2</sub> emissions from the steel slag used in the hot-mix asphalt dryer/mixer shall not exceed fourteen ten-thousandths (0.0014) pounds of SO<sub>2</sub> per ton of steel slag processed.

Compliance with these limits, combined with the potential SO<sub>2</sub> emissions from all other emission units at this source, shall limit the source-wide total potential to emit SO<sub>2</sub> to less than one hundred (100) tons per twelve (12) consecutive month period, and shall render 326 IAC 2-7 (Part 70 Permits) and 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.

#### D.1.5 Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [326 IAC 2-3]

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

- (a) PM<sub>10</sub> emissions from the aggregate mixing and drying operation shall be limited to 0.083 pounds per ton of asphalt produced. This will limit the total potential to emit PM<sub>10</sub> from the aggregate dryer and mixer to less than 59.50 tons per year.
- (b) PM<sub>10</sub> emissions from the magnetite drying operation shall be limited to 0.04 pounds per ton of magnetite. This will limit the total potential to emit PM<sub>10</sub> from the magnetite drying operation to less than 1.50 tons per year.
- (c) PM<sub>2.5</sub> emissions from the aggregate mixing and drying operation shall be limited to 0.083 pounds per ton of asphalt produced. This will limit the total potential to emit PM<sub>2.5</sub> from the aggregate dryer and mixer to less than 59.50 tons per year.
- (d) PM<sub>2.5</sub> emissions from the magnetite drying operation shall be limited to 0.04 pounds per ton of magnetite. This will limit the total potential to emit PM<sub>2.5</sub> from the magnetite drying operation to less than 1.50 tons per year.

Compliance with these limits, combined with the potential to emit PM<sub>10</sub> and PM<sub>2.5</sub> from all other emission units at this source, in addition to the limit in conditions D.1.3 and D.1.6, shall limit the source-wide total potential to emit of PM<sub>10</sub> and PM<sub>2.5</sub> to less than 100 tons per 12 consecutive month period, each, and shall render 326 IAC 2-7 (Part 70 Permits), 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) and 326 IAC 2-3 (Emission Offset) not applicable.

#### D.1.6 FESOP Limit [326 IAC 2-8]

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

- (a) The annual throughput to the aggregate dryer shall be not exceed 1,440,000 tons of hot-mix and warm-mix asphalt, combined, per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) The annual throughput to the magnetite drying operation shall not exceed 75,000 tons of magnetite per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance with the above limits, in addition to the limit in conditions D.1.3, D.1.5, D.1.7 and D.1.8, will limit the source's emissions of all regulated pollutants, except PM, to less than 100 tons per year. PM emissions are limited to less than 250 tons per year. This will also limit combined HAP emissions to less than 25 tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70), and 326 IAC 2-2 (PSD) are not applicable.

D.1.7 Volatile Organic Compounds (VOCs) [326 IAC 8-1-6]

- (a) VOC emissions from the drum mix dryer shall not exceed 0.032 pounds of VOC per ton of hot mix, and/or warm-mix, asphalt produced.
- (b) VOC emissions from the silo filling process shall not exceed 0.0122 pounds of VOC per tons of hot mix, and/or warm-mix, asphalt produced.

Compliance with the above limits, in addition to the limit in condition D.1.6, will limit VOC emissions from the drum mix dryer and the silo filling process each to less than 25 tons per year. Compliance with this limit will render the requirements of 326 IAC 8-1-6 not applicable to these facilities.

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

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

- (a) CO emissions from the drum mix dryer shall not exceed 0.13 pounds of CO per ton of hot mix, and/or warm-mix, asphalt produced.
- (b) CO emissions from the silo filling process shall not exceed 0.019 pounds of VOC per ton of hot mix, and/or warm-mix, asphalt produced.

Compliance with the above limits, in addition to the limit in condition D.1.6, will limit total source-wide CO emissions to less than 100 tons per year. Compliance with this limit will satisfy 326 IAC 2-8-4 and render the requirements of Part 70 (326 IAC 2-7) not applicable.

D.1.9 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1] [326 IAC 7-2-1]

Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 116 million British thermal units per hour burner for the aggregate dryer shall be limited to 0.5 pounds per MMBtu heat input when using distillate oils and 1.6 pounds per MMBtu heat input when firing residual oils. This is equivalent to the following maximum allowable sulfur contents of the following fuels: No. 2 fuel oil and biodiesel (0.5%), No. 4 waste oil (1.5%) and No. 4 fuel oil (1.5%).

Pursuant to 326 IAC 7-1.1-2, this sulfur dioxide limit applies at all times including periods of startup, shutdown, and malfunction. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average, with compliance determined at the end of each month.

D.1.10 No. 4 Fuel Usage and Equivalents [326 IAC 2-8]

Pursuant to 326 IAC 2-8-4(1), the following limits shall apply:

- (a) The sulfur content of the No. 2 fuel oil and biodiesel used in the 116 MMBtu per hour burner for the aggregate dryer shall not exceed 0.5 % by weight, each. The sulfur content of the No. 4 fuel oil and waste oil used in the 116 MMBtu per hour burner for the aggregate dryer shall not exceed 1.0 % and 0.7% by weight, respectively.
- (b) The input of No. 4 fuel oil with a maximum sulfur content of 1.0% and No. 4 fuel oil equivalents to the 116 MMBtu per hour burner for the aggregate dryer shall be limited to 1,331,926 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (c) For purposes of determining compliance based on SO<sub>2</sub> emissions, the following shall apply:

- (1) every million cubic feet (MMCF) of natural gas burned shall be equivalent to 4.0 gallons of No. 4 fuel oil based on SO<sub>2</sub> emissions, such that the total input of No. 4 fuel oil and No. 4 fuel oil equivalent input does not exceed the limit specified;
- (2) every 1,000 gallons of No. 2 distillate oil burned in the aggregate dryer burner shall be equivalent to 512.3 gallons of No. 4 fuel oil based on SO<sub>2</sub> emissions and a maximum No. 2 distillate oil sulfur content of 0.5% such that the total gallons of No. 4 fuel oil and No. 4 fuel oil equivalent input does not exceed the limit specified; and
- (3) every 1,000 gallons of waste oil (No. 4) burned in the aggregate dryer burner shall be equivalent to 686.0 gallons of No. 4 fuel oil based on SO<sub>2</sub> emissions and a maximum waste oil sulfur content of 0.7 % such that the total gallons of No. 4 fuel oil and No. 4 fuel oil equivalent input does not exceed the limit specified.
- (4) every 1,000 gallons of biodiesel burned in the aggregate dryer burner shall be equivalent to 512.3 gallons of No. 4 fuel oil based on SO<sub>2</sub> emissions and a maximum waste oil sulfur content of 0.5 % such that the total gallons of No. 4 fuel oil and No. 4 fuel oil equivalent input does not exceed the limit specified.

Compliance with these limits, combined with the SO<sub>2</sub> emissions from all other units at this source, will limit the source-wide SO<sub>2</sub> emissions, and indirectly NO<sub>x</sub> emissions, to less than 100 tons per twelve (12) consecutive month period, each, and shall render 326 IAC 2-7 (Part 70 Permit Program), 326 IAC 2-2 (PSD) ), and 326 IAC 2-3 (Emission Offset) not applicable.

#### D.1.11 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for this facility and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

### **Compliance Determination Requirements**

#### D.1.12 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11][40 CFR 60.93][326 IAC 12]

- (a) Not later than five (5) years from October 26, 2004, in order to demonstrate compliance with Conditions D.1.1, D.1.3, D.1.5, and D.1.21 the Permittee shall perform PM testing for the aggregate dryer/mixer, and magnetite drying operation utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C- Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.
- (b) In order to demonstrate compliance with Conditions D.1.1, D.1.3, D.1.5, and D.1.21, the Permittee shall perform PM<sub>2.5</sub> and PM<sub>10</sub> testing for the baghouse controlling the aggregate dryer/mixer, and magnetite drying operation, within 180 days of publication of the new or revised condensable PM test method(s) referenced in the U. S. EPA's Final Rule for Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM<sub>2.5</sub>), signed on May 8th, 2008, or within five (5) years of issuance of FESOP Revision No. 163-27958-00186, whichever is later. This testing shall be conducted utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition. PM<sub>10</sub> and PM<sub>2.5</sub>, each, includes filterable and condensable PM.

- (c) Pursuant to 40 CFR 60.93, compliance with the PM standards in 40 CFR 60.92 and condition D.1.21 shall be determined by using Method 5 to determine particulate concentration. When determining the particulate concentration, the sampling time and sampling volume for each run shall be at least 60 minutes and 0.90 dry standard cubic meters (31.8 dry standard cubic feet).
- (d) Pursuant to 40 CFR 60.93, compliance with the opacity standards in 40 CFR 60.92 and condition D.1.21 shall be determined by utilizing 40 CFR Part 60 Appendix A, Method 9 to determine opacity. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C- Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.
- (e) Not later than one-hundred and eighty (180) days after issuance of this permit, Permit No F163-23182-00186 (formerly Plant ID# 163-03408), in order to demonstrate compliance with the opacity standards in 40 CFR 60.672 and condition D.1.23, the Permittee shall perform opacity testing for the RAP crusher utilizing 40 CFR Part 60 Appendix A, Method 9 at least once every five (5) years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C- Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

#### D.1.13 Sulfur Dioxide Emissions and Sulfur Content

Compliance shall be determined utilizing one of the following options.

- (a) Compliance with the slag limitations established in Condition D.1.4(b) shall be determined utilizing one of the following options.
  - (1) Providing vendor analysis of the steel slag delivered, if accompanied by a vendor certification; or
  - (2) Analyzing a sample of the slag delivery to determine the sulfur content of the steel slag, 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.
  - (3) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the one hundred twenty (120) million British thermal units per hour burner, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, or other procedures approved by IDEM, OAQ.

A determination of noncompliance pursuant to any of the methods specified above shall not be refuted by evidence of compliance pursuant to the other method.

- (b) 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 British thermal unit heat input when operating on No. 2 distillate oil, and biodiesel, each, and one and six-tenths (1.6) pounds per million British thermal unit heat input when operating on No. 4 fuel oil and waste oil (No. 4) 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.
- (3) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the aggregate dryer and drum mixer using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.
  - (4) In order to demonstrate compliance with Conditions D.1.9 and D.1.10, the Permittee shall demonstrate that weight percent sulfur dioxide in the fuels used does not exceed one half of a percent (0.5%) by weight when operating on No. 2 distillate fuel oil and biodiesel, each, one percent (1.0%) by weight when operating on No. 4 fuel oil, and seven tenths percent (0.7%) by weight when operating on No. 4 waste oil, using the methods described in (a) of this condition.

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

#### D.1.14 Particulate Matter (PM, PM10, and PM2.5) Control

- (a) In order to comply with Conditions D.1.1, D.1.3, D.1.5, and D.1.21, the baghouse for particulate control shall be in operation and control emissions from the aggregate dryer, drum mixer and the magnetite drying operation at all times that the aggregate dryer, drum mixer, and magnetite drying operation are in operation.
- (b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

#### D.1.15 Visible Emissions Notations

- (a) Daily visible emission notations of the magnetite dryer, aggregate dryer, and burner baghouse stack exhaust and the crushing, conveying, material transfer points, and screening shall be performed during normal daylight operations when exhausting to the atmosphere. 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. Section C- Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

#### D.1.16 Parametric Monitoring

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The Permittee shall record the pressure drop across the baghouse used in conjunction with the aggregate dryer and mixer and magnetite drying process, once per day when the process is in operation and venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps. Section C- Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated or replaced at least once every six (6) months.

#### D.1.17 Broken or Failed Bag Detection

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(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit 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 emission unit. 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's 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.

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

#### D.1.18 Record Keeping Requirements

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(a) To document the compliance status with the slag limitations in condition D.1.4, the Permittee shall maintain monthly records of the information listed in items (1) through (4) below.

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

(2) Actual steel slag usage, calendar-month average sulfur content and equivalent sulfur dioxide emission rates for all steel slag used at the source since the last compliance determination period;

(3) A certification, signed by the owner or operator, that the records of the slag supplier certifications represent all of the steel slag used during the period; and

(4) If the slag supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:

(A) Slag supplier certifications;

(B) The name of the slag supplier; and

- (C) A statement from the slag supplier that certifies the sulfur content of the steel slag.

Records that may be used to document the information included in (1) through (4) may include delivery tickets, manufacturer's data, material safety data sheets (MSDS), and other documents necessary to verify the type and amount used.

- (b) To document the compliance status with condition D.1.6, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with the annual throughput limits to the aggregate dryer and magnetite drying operation established in Condition D.1.6.

- (1) Calendar dates covered in the compliance determination period;
- (2) Asphalt mix throughput to the aggregate dryer per month since the last compliance determination period; and
- (3) Magnetite throughput to the magnetite dryer per month since the last compliance determination period;

- (c) To document the compliance status with conditions D.1.9 and D.1.10, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) below shall be complete and sufficient to establish compliance with the SO<sub>2</sub> emission limits established in conditions D.1.9 and D.1.10.

- (1) Calendar dates covered in the compliance determination period;
- (2) Actual No. 4 fuel oil and No. 4 fuel oil equivalent usage per month since last compliance determination period and equivalent SO<sub>2</sub> and NO<sub>x</sub> 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; 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.

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) The Permittee shall maintain records sufficient to verify compliance with the procedures specified in Condition D.1.13. Records shall be maintained for a period of five (5) years and shall be made available upon request by IDEM, OAQ.
- (e) To document the compliance status with Condition D.1.15, the Permittee shall maintain daily records of visible emission notations from the magnetite dryer, aggregate dryer, and burner baghouse stack exhaust and the crushing, conveying, material transfer points, and screening or the reason why visible emission notations were not taken.

- (f) To document the compliance status with Condition D.1.16, the Permittee shall maintain daily records of the pressure drop during normal operation or the reason why a pressure drop reading was not taken.
- (g) Section C - General Record Keeping Requirements contains the Permittee's obligations with regard to the records required by this condition.

#### D.1.19 Reporting Requirements

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A quarterly summary of the information to document the compliance status with Conditions D.1.4(a), D.1.6, D.1.9, and D.1.10, shall be submitted using the reporting forms located at the end of this permit, or their equivalent, not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meet the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

#### **New Source Performance Standards (NSPS) Requirements [326 IAC 2-8-4(1)]**

##### D.1.20 General Provisions Relating to NSPS [326 IAC 12] [40 CFR 60, Subpart A]

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Pursuant to 40 CFR 60, Subpart I, the Permittee shall comply with the provisions of 40 CFR 60 Subpart A - General Provisions, which are incorporated by reference as 326 IAC 12, for the aggregate dryer and burner in accordance with the schedule in 40 CFR 60, Subpart A.

##### D.1.21 NSPS, Requirements [40 CFR Part 60, Subpart I] [ 326 IAC 12]

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Pursuant to CFR Part 60, Subpart I, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart I, which are incorporated by reference as 326 IAC 12 for the aggregate dryer and burner as 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.

**D.1.22 General Provisions Relating to NSPS [326 IAC 12] [40 CFR 60, Subpart A]**

Pursuant to 40 CFR 60, Subpart OOO, the Permittee shall comply with the provisions of 40 CFR 60 Subpart A - General Provisions, which are incorporated by reference as 326 IAC 12, for the crusher in accordance with the schedule in 40 CFR 60, Subpart A.

**D.1.23 NSPS, Requirements [40 CFR Part 60, Subpart OOO] [ 326 IAC 12]**

Pursuant to CFR Part 60, Subpart OOO, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart OOO, which are incorporated by reference as 326 IAC 12 for the crusher as specified as follows:

**§ 60.670 Applicability and designation of affected facility.**

(a)(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; and stand-alone screening operations at plants without crushers or grinding mills.

(b) An affected facility that is subject to the provisions of subpart F or I or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(d)(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after August 31, 1983 is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that apply and those that do not apply to owners and operators of affected facilities subject to this subpart.

Subpart A reference	Applies to Subpart OOO	Comment
60.1, Applicability.....	Yes.....	
60.2, Definitions.....	Yes.....	
60.3, Units and abbreviations.....	Yes.....	
60.4, Address:		
(a).....	Yes.....	

Subpart A reference	Applies to Subpart 000	Comment
(b).....	Yes.....	
60.5, Determination of construction or modification.	Yes.....	
60.6, Review of plans.....	Yes.....	
60.7, Notification and recordkeeping..	Yes.....	Except in (a)(2) report of anticipated date of initial startup is not required (§ 60.676(h)).
60.8, Performance tests.....	Yes.....	Except in (d), after 30 days notice for an initially scheduled performance test, any rescheduled performance test requires 7 days notice, not 30 days (§ 60.675(g)).
60.9, Availability of information....	Yes.....	
60.10, State authority.....	Yes.....	
60.11, Compliance with standards and maintenance requirements.	Yes.....	Except in (b) under certain conditions (§§ 60.675 (c)(3) and (c)(4)), Method 9 observation may be reduced from 3 hours to 1 hour. Some affected facilities exempted from Method 9 tests (§ 60.675(h)).
60.12, Circumvention.....	Yes.....	
60.13, Monitoring requirements.....	Yes.....	
60.14, Modification.....	Yes.....	
60.15, Reconstruction.....	Yes.....	
60.16, Priority list.....	Yes.....	
60.17, Incorporations by reference....	Yes.....	
60.18, General control device.....	No.....	Flares will not be used to comply with the emission limits.
60.19, General notification and reporting requirements.	Yes.....	

**§ 60.671 Definitions.**

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

*Bagging operation* means the mechanical process by which bags are filled with nonmetallic minerals.

*Belt conveyor* means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

*Bucket elevator* means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

*Building* means any frame structure with a roof.

*Capacity* means the cumulative rated capacity of all initial crushers that are part of the plant.

*Capture system* means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more process operations to a control device.

*Control device* means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more process operations at a nonmetallic mineral processing plant.

*Conveying system* means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

*Crusher* means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

*Enclosed truck or railcar loading station* means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

*Fixed plant* means any nonmetallic mineral processing plant at which the processing equipment specified in §60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

*Fugitive emission* means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

*Grinding mill* means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

*Initial crusher* means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

*Nonmetallic mineral* means any of the following minerals or any mixture of which the majority is any of the following minerals:

(a) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.

(b) Sand and Gravel.

(c) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.

(d) Rock Salt.

(e) Gypsum.

(f) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.

(g) Pumice.

(h) Gilsonite.

(i) Talc and Pyrophyllite.

(j) Boron, including Borax, Kernite, and Colemanite.

(k) Barite.

(l) Fluorospar.

(m) Feldspar.

(n) Diatomite.

(o) Perlite.

(p) Vermiculite.

(q) Mica.

(r) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

*Nonmetallic mineral processing plant* means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670 (b) and (c).

*Portable plant* means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

*Production line* means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

*Screening operation* means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens).

*Size* means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

*Stack emission* means the particulate matter that is released to the atmosphere from a capture system.

*Storage bin* means a facility for storage (including surge bins) or nonmetallic minerals prior to further processing or loading.

*Transfer point* means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

*Truck dumping* means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: trucks, front end loaders, skip hoists, and railcars.

*Vent* means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

*Wet mining operation* means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

*Wet screening operation* means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

**§ 60.672 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 cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:

- (1) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and
- (2) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from an affected facility using a wet scrubbing control device. Facilities using a wet scrubber must comply with the reporting provisions of §60.676 (c), (d), and (e).

(b) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs (c), (d), and (e) of this section.

(c) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

**§ 60.673 Reconstruction.**

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the “fixed capital cost of the new components” or the “fixed capital cost that would be required to construct a comparable new facility” under §60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under §60.15, the “fixed capital cost of the new components” includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

**§ 60.675 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). Acceptable alternative methods and procedures are given in paragraph (e) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.672(a) as follows:

(1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

(c)(1) In determining compliance with the particulate matter standards in §60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in §60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

(4) When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under §60.672(c) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 15 percent opacity; and

(ii) There are no more than 3 readings of 15 percent for the 1-hour period.

(f) To comply with §60.676(d), the owner or operator shall record the measurements as required in §60.676(c) using the monitoring devices in §60.674 (a) and (b) during each particulate matter run and shall determine the averages.

(g) If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in this section, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

**§ 60.676 Reporting and recordkeeping.**

(a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 to demonstrate compliance with §60.672(b), (c), and (f), and reports of observations using Method 22 to demonstrate compliance with §60.672(e).

(g) The owner or operator of any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to §60.672(h) and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in §60.672(b) and the emission test requirements of §60.11 and this subpart. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in §60.672(h).

(h) The subpart A requirement under §60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart.

(i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

## SECTION D.2 FACILITY OPERATION CONDITIONS – COLD MIX ASPHALT

### Facility Description [326 IAC 2-8-4(10)]:

(a) cold-mix (stockpile mix) asphalt manufacturing operations and storage piles.

(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 2-8-4(1)]

#### D.2.1 Volatile Organic Compounds (VOC) [326 IAC 8-5-2][326 IAC 2-8-4][326 IAC 2-2]

- (a) Pursuant to 326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving), the use of cutback asphalt or asphalt emulsion shall not contain more than seven percent (7%) oil distillate by volume of emulsion for any paving application except the following purposes:
- (a) Penetrating prime coating
  - (b) Stockpile storage
  - (c) Application during the months of November, December, January, February and March.
- (b) The VOC solvent used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that no more than 56.62 tons of VOC emissions emitted per twelve (12) consecutive months. This shall be achieved by limiting the total VOC solvent of any one selected binder to not exceed the stated limit for that binder during the last twelve (12) months. When more than one binder is used, the formula below must be applied so that the total VOC emitted does not exceed 56.62 tons per twelve (12) consecutive month period rolled on a monthly basis.

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

- (1) 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.
  - (2) 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.
  - (3) 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.
  - (4) 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
  - (5) 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
- (c) The liquid binder used in cold mix asphalt production shall be limited as follows:
- (1) Cutback asphalt rapid cure liquid binder usage shall not exceed 59.60 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

- (2) Cutback asphalt medium cure liquid binder usage shall not exceed 80.89 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (3) Cutback asphalt slow cure liquid binder usage shall not exceed 226.49 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (4) Emulsified asphalt with solvent liquid binder usage shall not exceed 122.03 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (5) Other asphalt with solvent liquid binder shall not exceed 2,264.93 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (6) The VOC solvent allotments in subpart (c)(1) through (c)(5) of this condition 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.

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of VOC emitted}$$

Type of binder	tons VOC solvent	adjustment ratio	tons VOC emitted
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 56.62 tons per twelve (12) consecutive month period rolled on a monthly basis.

**Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]**

**D.2.2 Record Keeping Requirements**

To document the compliance status with Condition D.2.1(b) and (c), the Permittee shall maintain records in accordance with (a) through (d) below. Records maintained for (a) through (d) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC emission limits established in Condition D.2.1(b) and (c).

- (a) Calendar dates covered in the compliance determination period;
- (b) Asphalt binder usage per month since the last compliance determination period;
- (c) VOC solvent content by weight of the asphalt binder used each month; and
- (d) Amount of VOC solvent used in the production of cold mix asphalt, and the amount of VOC emitted each month.

Section C - General Record Keeping Requirements, contains the Permittee's obligations with regard to the records required by this condition.

#### D.2.3 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1(b) and (c) shall be submitted using the reporting forms located at the end of this permit, or their equivalent, not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meet the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

## SECTION E.1

## FACILITY OPERATION CONDITIONS

### Emissions Unit Description [326 IAC 2-6.1-5(a)(1): Gasoline Dispensing Facilities

- (i) One (1) 500 gallon gasoline storage tank, installed in 1990.

Under 40 CFR 63, Subpart CCCCCC: National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, the gasoline fuel transfer and dispensing operation, including the 500 gallon gasoline storage tank, is considered an affected facility.

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

### New Source Performance Standards (NSPS) Requirements [326 IAC 2-8-4(1)]

#### E.1.1 National Emission Standards for Hazardous Air Pollutants (NESHAPs): Area Source Standards for Source Category: Gasoline Dispensing Facilities [40 CFR 63, Subpart CCCCCC] [326 IAC 20]

Pursuant to 40 CFR § 63.11112(a), the emission sources to which this subpart applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing gasoline dispensing facilities (GDF), located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this subpart.

The gasoline fuel transfer and dispensing operation is therefore subject to the following portions of Subpart CCCCCC (6C):

- (1) § 63.11504(a)(1)(iii), (a)(2), (a)(3);
- (2) § 63.11505(a)(1), (b), (e);
- (3) § 63.11506(a);
- (4) § 63.11507(g);
- (5) § 63.11508(a), (b), (d)(1), (d)(2), (d)(8)
- (6) § 63.11509(a), (b), (c)(6), (c)(7), (d), (e), (f)
- (7) § 63.11510
- (8) § 63.11511
- (9) § 63.11512

Non-applicable portions of the NESHAP are not included in the permit.

The requirements of 40 CFR 63 Subpart A – General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the facility described in this section except when otherwise specified in 40 CFR 63, Subpart 6C.

A copy of the rule has been supplied as Attachment B to the Permit.

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
CERTIFICATION**

Source Name: J.H. Rudolph & Company, Inc.  
Source Address: 3300 S. Green River Road, Evansville, Indiana 47715  
Mailing Address: PO Box 5226, Evansville, IN 47716  
FESOP Permit No.: F163-23182-00186 (formerly plant ID 163-03408)

**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: J.H. Rudolph & Company, Inc.  
Source Address: 3300 S. Green River Road, Evansville, Indiana 47715  
Mailing Address: PO Box 5226, Evansville, IN 47716  
FESOP Permit No.: F163-23182-00186 (formerly plant ID 163-03408)

**This form consists of 2 pages**

**Page 1 of 2**

- |  |
|--|
| <p><input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none"><li>• 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</li><li>• 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</li></ul> |
|--|

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 <sub>2</sub> , VOC, NO <sub>x</sub> , 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: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: J.H. Rudolph & Company, Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
Facility: 650 ton/hr aggregate mixer  
Parameter: Steel Slag Usage  
Limit: Maximum steel slag usage shall not exceed 100,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

QUARTER: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

Month	Column 1 Steel Slag Usage (tons)	Column 2 Steel Slag Usage (tons)	Column 1 + Column 2 Steel Slag Usage (tons)
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.  
Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: J.H. Rudolph & Company Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716-5226  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
Facility: 650 ton/hr aggregate mixer  
Parameter: Combined Hot-Mix and Warm-Mix Asphalt Production  
Limit: The annual throughput to the aggregate dryer shall be limited to 1,440,000 tons of hot-mix and warm-mix asphalt, combined, per twelve (12) consecutive month period, with compliance determined at the end of each month.

QUARTER: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

Month	Column 1: Asphalt throughput (tons)	Column 2: Asphalt throughput (tons)	Column 1 + Column 2: Asphalt throughput (tons)
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.  
Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: J.H. Rudolph & Company Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
Facility: Magnetite drying operation  
Parameter: Throughput  
Limit: The annual throughput to the magnetite drying operation shall be limited to 75,000 tons of magnetite per twelve (12) consecutive month period, with compliance determined at the end of each month.

QUARTER: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

Month	Column 1: Magnetite throughput (tons)	Column 2: Magnetite throughput (tons)	Column 1 + Column 2: Magnetite throughput (tons)
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.  
Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: J.H. Rudolph & Company Inc.  
 Source Address: 3300 S. Green River Road, Evansville, IN 47715  
 Mailing Address: P.O. Box 5226, Evansville, IN 47716-5226  
 FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
 Facility: 116 MMBtu per hour burner for the aggregate dryer  
 Parameter: No. 4 fuel oil usage limit SO<sub>2</sub> and NO<sub>X</sub> emissions  
 Limit: The input of No. 4 fuel oil with a maximum sulfur content of 1.0% and No. 4 fuel oil equivalents to the 116 MMBtu per hour burner for the aggregate dryer shall be limited to 1,331,926 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, where every million cubic feet (MMCF) of natural gas burned shall be equivalent to 4.0 gallons of No. 4 fuel oil, every 1,000 gallons of No. 2 distillate oil burned in the aggregate dryer burner shall be equivalent to 512.3 gallons of No. 4 fuel oil, every 1,000 gallons of waste oil (No. 4) burned in the aggregate dryer burner shall be equivalent to 686.0 gallons of No. 4 fuel oil, and every 1,000 gallons of biodiesel burned shall be equivalent to 512.3 gallons of No. 4 fuel oil. This will limit SO<sub>2</sub> emissions to less than 100 tons per year.

QUARTER: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

Month	Column 1: No. 4 fuel oil usage plus equivalent of other fuels (gallons)	Column 2: No. 4 fuel oil usage plus equivalent of other fuels (gallons)	Column 1 + Column 2: No. 4 fuel oil usage plus equivalent of other fuels (gallons)
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: J.H. Rudolph & Company Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716-5226  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
Facility: Cold-mix asphalt storage piles  
Parameter: VOC

Limit: 56.62 tons of VOC per year twelve (12) consecutive month period rolled on a monthly basis. Therefore, any one single liquid binder solvent shall be limited as follows:

- (a) Cutback asphalt rapid cure liquid binder usage shall not exceed 59.6 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (b) Cutback asphalt medium cure liquid binder usage shall not exceed 80.89 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (c) Cutback asphalt slow cure liquid binder usage shall not exceed 226.49 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (d) Emulsified asphalt with solvent liquid binder usage shall not exceed 122.03 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.
- (e) Other asphalt with solvent liquid binder shall not exceed 2,264.93 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

QUARTER: \_\_\_\_\_ MONTH: \_\_\_\_\_ YEAR: \_\_\_\_\_

**The following liquid binder solvent was the only liquid binder solvent used over the previous 12 month period: \_\_\_\_\_ Limit applicable: \_\_\_\_\_  
(use of more than one binder requires the use of the "Multiple Liquid Binder Solvents" report form)**

Month	Column 1 Solvent input This Month (tons)	Column 2 Solvent input Previous 11 Months (tons)	Column 1 + Column 2 Solvent input 12 Month Total (tons)
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.  
Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

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

**Multiple Liquid Binder Solvent Quarterly Report**

**Source Name:** J.H. Rudolph & Company, Inc.  
**Initial Source Address:** 3300 S. Green River Road, Evansville, IN 47715  
**Mailing Address:** P.O. Box 5226, Evansville, IN 47716-5226  
**FESOP No.:** F163-23182-00186 (formerly plant ID 163-03408)  
**Facility:** Cold-mix asphalt storage piles  
**Parameter:** VOC  
**Limit:** 56.62 tons per year twelve (12) consecutive month period rolled on a monthly basis.

**QUARTER:** \_\_\_\_\_ **MONTH:** \_\_\_\_\_ **YEAR:** \_\_\_\_\_

Month	Type of Liquid binder	Solvent Usage This Month (tons)	Divisor	VOC emitted This Month (tons) for each solvent	VOC emitted This Month (tons)	VOC emitted Previous 11 Months (tons)	This month + Previous 11 months =VOC emitted 12 Month Total (tons)
Month 1	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 2	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 3	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				

No deviation occurred in this reporting period. Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Deviation/s occurred in this reporting period. Title / Position: \_\_\_\_\_ Phone: \_\_\_\_\_

Deviation has been reported on: \_\_\_\_\_ Signature: \_\_\_\_\_

**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: J.H. Rudolph & Company, Inc.  
Source Address: 3300 S. Green River Road, Evansville, Indiana 47715  
Mailing Address: PO Box 5226, Evansville, IN 47716  
FESOP Permit No.: F163-23182-00186 (formerly plant ID 163-03408)

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements of this permit, 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 "No 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:**

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

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Mail to: Permit Administration & Development Section  
Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

J.H. Rudolph & Company, Inc.  
(formerly plant ID 163-03408)  
3300 S. Green River Road  
Evansville, Indiana 47715

**Affidavit of Construction**

I, \_\_\_\_\_, being duly sworn upon my oath, depose and say:  
(Name of the Authorized Representative)

1. I live in \_\_\_\_\_ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.
2. I hold the position of \_\_\_\_\_ for \_\_\_\_\_.  
(Title) (Company Name)
3. By virtue of my position with \_\_\_\_\_, I have personal  
(Company Name)  
knowledge of the representations contained in this affidavit and am authorized to make these representations on behalf of \_\_\_\_\_.  
(Company Name)
4. I hereby certify that J. H. Rudolph & Company, located at 3300 S. Green River Rd, Evansville IN 47715, completed construction of the cold-mix (stockpile mix) asphalt manufacturing operations and storage piles on in conformity with the requirements and intent of the Federally Enforceable Source Operating Permit application received by the Office of Air Quality on June 5, 2006 and as permitted pursuant to the FESOP Permit No. 163-23182-00186, Plant ID No. 163-00186, issued on \_\_\_\_\_.

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF INDIANA)  
)SS

COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to me, a notary public in and for \_\_\_\_\_ County and State of  
Indiana on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (typed or printed)

**Federally Enforceable State Operating  
Permit (FESOP)  
OFFICE OF AIR QUALITY**

**J.H. Rudolph & Company, Inc.  
3300 S. Green River Road,  
Evansville, IN 47715**

**Attachment A**

**HOT-MIX ASPHALT PLANT  
FUGITIVE DUST CONTROL PLAN**

**F163-29055-00186**

## **HOT-MIX ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN**

- (a) Fugitive particulate matter emissions from plant roadways, parking lots and yards shall be controlled by one of the following methods:
  - 1) Application of water and/or water-dust control material solutions;
  - 2) Sweeping between watering;
  - 3) Limiting vehicular speed to 10 miles per hour.
- (b) Fugitive particulate matter emissions from conveying/handling operations shall be controlled by minimizing all drop distances.
- (c) Fugitive particulate matter emissions from storage piles shall be controlled by one of the following methods:
  - 1) minimizing drop distances; and
  - 2) maintaining moisture content of materials above 1.5%.
- (d) Fugitive particulate matter emissions from plant RAP crusher operations shall be controlled by minimizing all drop distances.

**Federally Enforceable State Operating  
Permit (FESOP)  
OFFICE OF AIR QUALITY**

**J.H. Rudolph & Company, Inc.  
3300 S. Green River Road,  
Evansville, IN 47715**

**Attachment B**

**Title 40: Protection of Environment**

**PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR  
POLLUTANTS FOR SOURCE CATEGORIES**

**Subpart CCCCCC - NESHAPs for Source Category:  
Gasoline Dispensing Facilities**

**F163-29055-00186**

## **40 CFR 63, Subpart CCCCC - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities**

*Source: 73 FR 1945, Jan. 10, 2008, unless otherwise noted.*

### **What This Subpart Covers**

#### **§ 63.11110 What is the purpose of this subpart?**

This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tanks at gasoline dispensing facilities (GDF). This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

#### **§ 63.11111 Am I subject to the requirements in this subpart?**

- (a) The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank.
- (b) If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in §63.11116.
- (c) If your GDF has a monthly throughput of 10,000 gallons of gasoline or more, you must comply with the requirements in §63.11117.
- (d) If your GDF has a monthly throughput of 100,000 gallons of gasoline or more, you must comply with the requirements in §63.11118.
- (e) An affected source shall, upon request by the Administrator, demonstrate that their average monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable.
- (f) If you are an owner or operator of affected sources, as defined in paragraph (a) of this section, you are not required to obtain a permit under 40 CFR part 70 or 40 CFR part 71 as a result of being subject to this subpart. However, you must still apply for and obtain a permit under 40 CFR part 70 or 40 CFR part 71 if you meet one or more of the applicability criteria found in 40 CFR 70.3(a) and (b) or 40 CFR 71.3(a) and (b).
- (g) The loading of aviation gasoline storage tanks at airports is not subject to this subpart and the aviation gasoline is not included in the gasoline throughput specified in paragraphs (b) through (e) of this section.

#### **§ 63.11112 What parts of my affected source does this subpart cover?**

- (a) The emission sources to which this subpart applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in §63.11111. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this subpart.
- (b) An affected source is a new affected source if you commenced construction on the affected source after November 9, 2006, and you meet the applicability criteria in §63.11111 at the time you commenced operation.

(c) An affected source is reconstructed if you meet the criteria for reconstruction as defined in §63.2.

(d) An affected source is an existing affected source if it is not new or reconstructed.

**§ 63.11113 When do I have to comply with this subpart?**

(a) If you have a new or reconstructed affected source, you must comply with this subpart according to paragraphs (a)(1) and (2) of this section, except as specified in paragraph (d) of this section.

(1) If you start up your affected source before January 10, 2008, you must comply with the standards in this subpart no later than January 10, 2008.

(2) If you start up your affected source after January 10, 2008, you must comply with the standards in this subpart upon startup of your affected source.

(b) If you have an existing affected source, you must comply with the standards in this subpart no later than January 10, 2011.

(c) If you have an existing affected source that becomes subject to the control requirements in this subpart because of an increase in the average monthly throughput, as specified in §63.11111(c) or §63.11111(d), you must comply with the standards in this subpart no later than 3 years after the affected source becomes subject to the control requirements in this subpart.

(d) If you have a new or reconstructed affected source and you are complying with Table 1 to this subpart, you must comply according to paragraphs (d)(1) and (2) of this section.

(1) If you start up your affected source from November 9, 2006 to September 23, 2008, you must comply no later than September 23, 2008.

(2) If you start up your affected source after September 23, 2008, you must comply upon startup of your affected source.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 35944, June 25, 2008]

**Emission Limitations and Management Practices**

**§ 63.11116 Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.**

(a) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(b) You are not required to submit notifications or reports, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(c) You must comply with the requirements of this subpart by the applicable dates specified in §63.11113.

**§ 63.11117 Requirements for facilities with monthly throughput of 10,000 gallons of gasoline or more.**

(a) You must comply with the requirements in section §63.11116(a).

(b) Except as specified in paragraph (c), you must only load gasoline into storage tanks at your facility by utilizing submerged filling, as defined in §63.11132, and as specified in paragraph (b)(1) or paragraph (b)(2) of this section.

(1) Submerged fill pipes installed on or before November 9, 2006, must be no more than 12 inches from the bottom of the storage tank.

(2) Submerged fill pipes installed after November 9, 2006, must be no more than 6 inches from the bottom of the storage tank.

(c) Gasoline storage tanks with a capacity of less than 250 gallons are not required to comply with the submerged fill requirements in paragraph (b) of this section, but must comply only with all of the requirements in §63.11116.

(d) You must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(e) You must submit the applicable notifications as required under §63.11124(a).

(f) You must comply with the requirements of this subpart by the applicable dates contained in §63.11113.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008]

**§ 63.11118 Requirements for facilities with monthly throughput of 100,000 gallons of gasoline or more.**

(a) You must comply with the requirements in §§63.11116(a) and 63.11117(b).

(b) Except as provided in paragraph (c) of this section, you must meet the requirements in either paragraph (b)(1) or paragraph (b)(2) of this section.

(1) Each management practice in Table 1 to this subpart that applies to your GDF.

(2) If, prior to January 10, 2008, you satisfy the requirements in both paragraphs (b)(2)(i) and (ii) of this section, you will be deemed in compliance with this subsection.

(i) You operate a vapor balance system at your GDF that meets the requirements of either paragraph (b)(2)(i)(A) or paragraph (b)(2)(i)(B) of this section.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 1 to this subpart.

(ii) Your gasoline dispensing facility is in compliance with an enforceable State, local, or tribal rule or permit that contains requirements of either paragraph (b)(2)(i)(A) or paragraph (b)(2)(i)(B) of this section.

(c) The emission sources listed in paragraphs (c)(1) through (3) of this section are not required to comply with the control requirements in paragraph (b) of this section, but must comply with the requirements in §63.11117.

(1) Gasoline storage tanks with a capacity of less than 250 gallons that are constructed after January 10, 2008.

(2) Gasoline storage tanks with a capacity of less than 2,000 gallons that were constructed before January 10, 2008.

(3) Gasoline storage tanks equipped with floating roofs, or the equivalent.

(d) Cargo tanks unloading at GDF must comply with the management practices in Table 2 to this subpart.

(e) You must comply with the applicable testing requirements contained in §63.11120.

(f) You must submit the applicable notifications as required under §63.11124.

(g) You must keep records and submit reports as specified in §§63.11125 and 63.11126.

(h) You must comply with the requirements of this subpart by the applicable dates contained in §63.11113.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008]

## Testing and Monitoring Requirements

### § 63.11120 What testing and monitoring requirements must I meet?

(a) Each owner or operator, at the time of installation of a vapor balance system required under §63.11118(b)(1), and every 3 years thereafter, must comply with the requirements in paragraphs (a)(1) and (2) of this section.

(1) You must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of Table 1 to this subpart, for pressure-vacuum vent valves installed on your gasoline storage tanks using the test methods identified in paragraph (a)(1)(i) or paragraph (a)(1)(ii) of this section.

(i) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E,—Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003 (incorporated by reference, see §63.14).

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

(2) You must demonstrate compliance with the static pressure performance requirement, specified in item 1(h) of Table 1 to this subpart, for your vapor balance system by conducting a static pressure test on your gasoline storage tanks using the test methods identified in paragraph (a)(2)(i) or paragraph (a)(2)(ii) of this section.

(i) California Air Resources Board Vapor Recovery Test Procedure TP-201.3,—Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities, adopted April 12, 1996, and amended March 17, 1999 (incorporated by reference, see §63.14).

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

(b) Each owner or operator choosing, under the provisions of §63.6(g), to use a vapor balance system other than that described in Table 1 to this subpart must demonstrate to the Administrator or delegated authority under paragraph §63.11131(a) of this subpart, the equivalency of their vapor balance system to that described in Table 1 to this subpart using the procedures specified in paragraphs (b)(1) through (3) of this section.

(1) You must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction using the California Air Resources Board Vapor Recovery Test Procedure TP-201.1,—Volumetric Efficiency for Phase I Vapor Recovery Systems, adopted April 12, 1996, and amended February 1, 2001, and October 8, 2003, (incorporated by reference, see §63.14).

(2) You must, during the initial performance test required under paragraph (b)(1) of this section, determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of Table 1 to this subpart and for the static pressure performance requirement in item 1(h) of Table 1 to this subpart.

(3) You must comply with the testing requirements specified in paragraph (a) of this section.

### **Notifications, Records, and Reports**

#### **§ 63.11124 What notifications must I submit and when?**

(a) Each owner or operator subject to the control requirements in §63.11117 must comply with paragraphs (a)(1) through (3) of this section.

(1) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or at the time you become subject to the control requirements in §63.11117, unless you meet the requirements in paragraph (a)(3) of this section. The Initial Notification must contain the information specified in paragraphs (a)(1)(i) through (iii) of this section. The notification must be submitted to the applicable EPA Regional Office and delegated State authority as specified in §63.13.

(i) The name and address of the owner and the operator.

(ii) The address (i.e., physical location) of the GDF.

(iii) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a) through (c) of §63.11117 that apply to you.

(2) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in §63.13, by the compliance date specified in §63.11113 unless you meet the requirements in paragraph (a)(3) of this section. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of this subpart. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (a)(1) of this section is due, the

Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (a)(1) of this section.

(3) If, prior to January 10, 2008, you are operating in compliance with an enforceable State, local, or tribal rule or permit that requires submerged fill as specified in §63.11117(b), you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (a)(1) or paragraph (a)(2) of this section.

(b) Each owner or operator subject to the control requirements in §63.11118 must comply with paragraphs (b)(1) through (5) of this section.

(1) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or at the time you become subject to the control requirements in §63.11118. The Initial Notification must contain the information specified in paragraphs (b)(1)(i) through (iii) of this section. The notification must be submitted to the applicable EPA Regional Office and the delegated State authority as specified in §63.13.

(i) The name and address of the owner and the operator.

(ii) The address (i.e., physical location) of the GDF.

(iii) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a) through (c) of §63.11118 that apply to you.

(2) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in §63.13, by the compliance date specified in §63.11113. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of this subpart. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (b)(1) of this section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (b)(1) of this section.

(3) If, prior to January 10, 2008, you satisfy the requirements in both paragraphs (b)(3)(i) and (ii) of this section, you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (b)(1) or paragraph (b)(2) of this subsection.

(i) You operate a vapor balance system at your gasoline dispensing facility that meets the requirements of either paragraphs (b)(3)(i)(A) or (b)(3)(i)(B) of this section.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 1 to this subpart.

(ii) Your gasoline dispensing facility is in compliance with an enforceable State, local, or tribal rule or permit that contains requirements of either paragraphs (b)(3)(i)(A) or (b)(3)(i)(B) of this section.

(4) You must submit a Notification of Performance Test, as specified in §63.9(e), prior to initiating testing required by §63.11120(a) and (b).

(5) You must submit additional notifications specified in §63.9, as applicable.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008]

### **§ 63.11125 What are my recordkeeping requirements?**

(a) Each owner or operator subject to the management practices in §63.11118 must keep records of all tests performed under §63.11120(a) and (b).

(b) Records required under paragraph (a) of this section shall be kept for a period of 5 years and shall be made available for inspection by the Administrator's delegated representatives during the course of a site visit.

### **§ 63.11126 What are my reporting requirements?**

Each owner or operator subject to the management practices in §63.11118 shall report to the Administrator the results of all volumetric efficiency tests required under §63.11120(b). Reports submitted under this paragraph must be submitted within 180 days of the completion of the performance testing.

### **Other Requirements and Information**

#### **§ 63.11130 What parts of the General Provisions apply to me?**

Table 3 to this subpart shows which parts of the General Provisions apply to you.

#### **§ 63.11131 Who implements and enforces this subpart?**

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as the applicable State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or tribal agency.

(c) The authorities that cannot be delegated to State, local, or tribal agencies are as specified in paragraphs (c)(1) through (3) of this section.

(1) Approval of alternatives to the requirements in §§63.11116 through 63.11118 and 63.11120.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

#### **§ 63.11132 What definitions apply to this subpart?**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (CAA), or in subparts A and BBBBBB of this part. For purposes of this subpart, definitions in this section supersede definitions in other parts or subparts.

*Dual-point vapor balance system* means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

*Gasoline cargo tank* means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

*Gasoline dispensing facility* (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle.

*Monthly throughput* means the total volume of gasoline that is loaded into all gasoline storage tanks during a month, as calculated on a rolling 30-day average.

*Submerged filling* means, for the purposes of this subpart, the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in §63.11117(b) from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

*Vapor balance system* means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

*Vapor-tight* means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by checking to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.

**Table 1 to Subpart CCCCC of Part 63—Applicability Criteria and Management Practices for Gasoline Dispensing Facilities With Monthly Throughput of 100,000 Gallons of Gasoline or More**

If you own or operate	Then you must
1. A new, reconstructed, or existing GDF subject to §63.11118	Install and operate a vapor balance system on your gasoline storage tanks that meets the design criteria in paragraphs (a) through (h).
	(a) All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect.
	(b) The vapor line from the gasoline storage tank to the gasoline cargo tank shall be vapor-tight, as defined in §63.11132.
	(c) The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer.
	(d) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations.
	(e) If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in §63.11117(b).
	(f) Liquid fill connections for all systems shall be equipped with vapor-tight caps.
	(g) Pressure/vacuum (PV) vent valves shall be installed on the storage tank vent pipes. The pressure specifications for PV vent valves shall be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, shall not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water.
	(h) The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation:

If you own or operate	Then you must
	$Pf = 2e^{-500.887/v}$
	Where:
	Pf = Minimum allowable final pressure, inches of water.
	v = Total ullage affected by the test, gallons.
	e = Dimensionless constant equal to approximately 2.718.
	2 = The initial pressure, inches water.
2. For new or reconstructed GDF, or new storage tank(s) at an existing affected facility subject to §63.11118	Equip your gasoline storage tanks with a dual-point vapor balance system, as defined in §63.11132, and comply with the requirements of item 1 in this Table.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 35944, June 25, 2008]

**Table 2 to Subpart CCCCC of Part 63—Applicability Criteria and Management Practices for Gasoline Cargo Tanks Unloading at Gasoline Dispensing Facilities With Monthly Throughput of 100,000 Gallons of Gasoline or More**

If you own or operate	Then you must
A gasoline cargo tank	Not unload gasoline into a storage tank at a GDF subject to the control requirements in this subpart unless the following conditions are met:
	(i) All hoses in the vapor balance system are properly connected,
	(ii) The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect,
	(iii) All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight,
	(iv) All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and
	(v) All hatches on the tank truck are closed and securely fastened.
	(vi) The filling of storage tanks at GDF shall be limited to unloading by vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 shall be carried on the cargo tank.

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**Table 3 to Subpart CCCCC of Part 63—Applicability of General Provisions**

<b>Citation</b>	<b>Subject</b>	<b>Brief description</b>	<b>Applies to subpart CCCCC</b>
§63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications	Yes, specific requirements given in §63.11111.
§63.1(c)(2)	Title V Permit	Requirements for obtaining a title V permit from the applicable permitting authority	Yes, §63.11111(f) of subpart CCCCC exempts identified area sources from the obligation to obtain title V operating permits.
§63.2	Definitions	Definitions for part 63 standards	Yes, additional definitions in §63.11132.
§63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§63.4	Prohibited Activities and Circumvention	Prohibited activities; Circumvention, severability	Yes.
§63.5	Construction/Reconstruction	Applicability; applications; approvals	Yes.
§63.6(a)	Compliance with Standards/Operation & Maintenance—Applicability	General Provisions apply unless compliance extension; General Provisions apply to area sources that become major	Yes.
§63.6(b)(1)–(4)	Compliance Dates for New and Reconstructed Sources	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for CAA section 112(f)	Yes.
§63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal	Yes.
§63.6(b)(6)	[Reserved]		
§63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source	No.
§63.6(c)(1)–(2)	Compliance Dates for Existing Sources	Comply according to date in this subpart, which must be no later than 3 years after effective date; for CAA section 112(f) standards, comply within 90 days of effective date unless compliance extension	No, §63.11113 specifies the compliance dates.
§63.6(c)(3)–(4)	[Reserved]		
§63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major	Area sources That become major must comply with major source standards by date indicated in this subpart or by equivalent time period (e.g., 3 years)	No.
§63.6(d)	[Reserved]		
§63.6(e)(1)	Operation & Maintenance	Operate to minimize emissions at	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
		all times; correct malfunctions as soon as practicable; and operation and maintenance requirements independently enforceable; information Administrator will use to determine if operation and maintenance requirements were met	
§63.6(e)(2)	[Reserved]		
§63.6(e)(3)	Startup, Shutdown, and Malfunction (SSM) Plan	Requirement for SSM plan; content of SSM plan; actions during SSM	No.
§63.6(f)(1)	Compliance Except During SSM	You must comply with emission standards at all times except during SSM	No.
§63.6(f)(2)–(3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection	Yes.
§63.6(g)(1)–(3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§63.6(h)(1)	Compliance with Opacity/Visible Emission (VE) Standards	You must comply with opacity/VE standards at all times except during SSM	No.
§63.6(h)(2)(i)	Determining Compliance with Opacity/VE Standards	If standard does not State test method, use EPA Method 9 for opacity in appendix A of part 60 of this chapter and EPA Method 22 for VE in appendix A of part 60 of this chapter	No.
§63.6(h)(2)(ii)	[Reserved]		
§63.6(h)(2)(iii)	Using Previous Tests To Demonstrate Compliance With Opacity/VE Standards	Criteria for when previous opacity/VE testing can be used to show compliance with this subpart	No.
§63.6(h)(3)	[Reserved]		
§63.6(h)(4)	Notification of Opacity/VE Observation Date	Must notify Administrator of anticipated date of observation	No.
§63.6(h)(5)(i), (iii)–(v)	Conducting Opacity/VE Observations	Dates and schedule for conducting opacity/VE observations	No.
§63.6(h)(5)(ii)	Opacity Test Duration and Averaging Times	Must have at least 3 hours of observation with 30 6-minute averages	No.
§63.6(h)(6)	Records of Conditions During Opacity/VE Observations	Must keep records available and allow Administrator to inspect	No.
§63.6(h)(7)(i)	Report Continuous Opacity Monitoring System (COMS) Monitoring Data From Performance Test	Must submit COMS data with other performance test data	No.
§63.6(h)(7)(ii)	Using COMS Instead of EPA Method 9	Can submit COMS data instead of EPA Method 9 results even if rule requires EPA Method 9 in appendix A of part 60 of this chapter, but must notify Administrator before performance test	No.

<b>Citation</b>	<b>Subject</b>	<b>Brief description</b>	<b>Applies to subpart CCCCC</b>
§63.6(h)(7)(iii)	Averaging Time for COMS During Performance Test	To determine compliance, must reduce COMS data to 6-minute averages	No.
§63.6(h)(7)(iv)	COMS Requirements	Owner/operator must demonstrate that COMS performance evaluations are conducted according to §63.8(e); COMS are properly maintained and operated according to §63.8(c) and data quality as §63.8(d)	No.
§63.6(h)(7)(v)	Determining Compliance with Opacity/VE Standards	COMS is probable but not conclusive evidence of compliance with opacity standard, even if EPA Method 9 observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B of part 60 of this chapter, and data have not been altered	No.
§63.6(h)(8)	Determining Compliance with Opacity/VE Standards	Administrator will use all COMS, EPA Method 9 (in appendix A of part 60 of this chapter), and EPA Method 22 (in appendix A of part 60 of this chapter) results, as well as information about operation and maintenance to determine compliance	No.
§63.6(h)(9)	Adjusted Opacity Standard	Procedures for Administrator to adjust an opacity standard	No.
§63.6(i)(1)–(14)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension	Yes.
§63.6(j)	Presidential Compliance Exemption	President may exempt any source from requirement to comply with this subpart	Yes.
§63.7(a)(2)	Performance Test Dates	Dates for conducting initial performance testing; must conduct 180 days after compliance date	Yes.
§63.7(a)(3)	CAA Section 114 Authority	Administrator may require a performance test under CAA section 114 at any time	Yes.
§63.7(b)(1)	Notification of Performance Test	Must notify Administrator 60 days before the test	Yes.
§63.7(b)(2)	Notification of Re-scheduling	If have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay	Yes.
§63.7(c)	Quality Assurance (QA)/Test Plan	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing	Yes.
§63.7(d)	Testing Facilities	Requirements for testing facilities	Yes.
§63.7(e)(1)	Conditions for Conducting Performance Tests	Performance tests must be conducted under representative conditions; cannot conduct performance tests during SSM	Yes.

<b>Citation</b>	<b>Subject</b>	<b>Brief description</b>	<b>Applies to subpart CCCCCC</b>
§63.7(e)(2)	Conditions for Conducting Performance Tests	Must conduct according to this subpart and EPA test methods unless Administrator approves alternative	Yes.
§63.7(e)(3)	Test Run Duration	Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used	Yes.
§63.7(f)	Alternative Test Method	Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method	Yes.
§63.7(g)	Performance Test Data Analysis	Must include raw data in performance test report; must submit performance test data 60 days after end of test with the Notification of Compliance Status; keep data for 5 years	Yes.
§63.7(h)	Waiver of Tests	Procedures for Administrator to waive performance test	Yes.
§63.8(a)(1)	Applicability of Monitoring Requirements	Subject to all monitoring requirements in standard	Yes.
§63.8(a)(2)	Performance Specifications	Performance Specifications in appendix B of 40 CFR part 60 apply	Yes.
§63.8(a)(3)	[Reserved]		
§63.8(a)(4)	Monitoring of Flares	Monitoring requirements for flares in §63.11 apply	Yes.
§63.8(b)(1)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative	Yes.
§63.8(b)(2)–(3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing monitoring systems; must install on each affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup	No.
§63.8(c)(1)	Monitoring System Operation and Maintenance	Maintain monitoring system in a manner consistent with good air pollution control practices	No.
§63.8(c)(1)(i)–(iii)	Routine and Predictable SSM	Follow the SSM plan for routine repairs; keep parts for routine repairs readily available; reporting requirements for SSM when action is described in SSM plan	No.
§63.8(c)(2)–(8)	Continuous Monitoring System (CMS) Requirements	Must install to get representative emission or parameter measurements; must verify operational status before or at performance test	No.
§63.8(d)	CMS Quality Control	Requirements for CMS quality control,	No.

Citation	Subject	Brief description	Applies to subpart CCCCCC
		including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions	
§63.8(e)	CMS Performance Evaluation	Notification, performance evaluation test plan, reports	No.
§63.8(f)(1)–(5)	Alternative Monitoring Method	Procedures for Administrator to approve alternative monitoring	No.
§63.8(f)(6)	Alternative to Relative Accuracy Test	Procedures for Administrator to approve alternative relative accuracy tests for continuous emissions monitoring system (CEMS)	No.
§63.8(g)	Data Reduction	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average	No.
§63.9(a)	Notification Requirements	Applicability and State delegation	Yes.
§63.9(b)(1)–(2), (4)–(5)	Initial Notifications	Submit notification within 120 days after effective date; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each	Yes.
§63.9(c)	Request for Compliance Extension	Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate	Yes.
§63.9(d)	Notification of Special Compliance Requirements for New Sources	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date	Yes.
§63.9(e)	Notification of Performance Test	Notify Administrator 60 days prior	Yes.
§63.9(f)	Notification of VE/Opaicity Test	Notify Administrator 30 days prior	No.
§63.9(g)	Additional Notifications when Using CMS	Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative	Yes, however, there are no opacity standards.
§63.9(h)(1)–(6)	Notification of Compliance Status	Contents due 60 days after end of performance test or other compliance demonstration, except for opacity/VE, which are due 30 days after; when to submit to Federal vs. State authority	Yes, however, there are no opacity standards.
§63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change when notifications must be submitted	Yes.
§63.9(j)	Change in Previous Information	Must submit within 15 days after the change	Yes.
§63.10(a)	Recordkeeping/Reporting	Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source	Yes.
§63.10(b)(1)	Recordkeeping/Reporting	General requirements; keep all records	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
		readily available; keep for 5 years	
§63.10(b)(2)(i)–(iv)	Records Related to SSM	Occurrence of each for operations (process equipment); occurrence of each malfunction of air pollution control equipment; maintenance on air pollution control equipment; actions during SSM	No.
§63.10(b)(2)(vi)–(xi)	CMS Records	Malfunctions, inoperative, out-of-control periods	No.
§63.10(b)(2)(xii)	Records	Records when under waiver	Yes.
§63.10(b)(2)(xiii)	Records	Records when using alternative to relative accuracy test	Yes.
§63.10(b)(2)(xiv)	Records	All documentation supporting Initial Notification and Notification of Compliance Status	Yes.
§63.10(b)(3)	Records	Applicability determinations	Yes.
§63.10(c)	Records	Additional records for CMS	No.
§63.10(d)(1)	General Reporting Requirements	Requirement to report	Yes.
§63.10(d)(2)	Report of Performance Test Results	When to submit to Federal or State authority	Yes.
§63.10(d)(3)	Reporting Opacity or VE Observations	What to report and when	No.
§63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension	Yes.
§63.10(d)(5)	SSM Reports	Contents and submission	Yes.
§63.10(e)(1)–(2)	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; two-three copies of COMS performance evaluation	No.
§63.10(e)(3)(i)–(iii)	Reports	Schedule for reporting excess emissions	Yes, note that §63.11130(K) specifies excess emission events for this subpart.
§63.10(e)(3)(iv)–(v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§63.8(c)(7)–(8) and 63.10(c)(5)–(13)	No, §63.11130(K) specifies excess emission events for this subpart.

<b>Citation</b>	<b>Subject</b>	<b>Brief description</b>	<b>Applies to subpart CCCCCC</b>
§63.10(e)(3)(vi)–(viii)	Excess Emissions Report and Summary Report	Requirements for reporting excess emissions for CMS; requires all of the information in §§63.10(c)(5)–(13) and 63.8(c)(7)–(8)	No.
§63.10(e)(4)	Reporting COMS Data	Must submit COMS data with performance test data	No.
§63.10(f)	Waiver for Recordkeeping/Reporting	Procedures for Administrator to waive	Yes.
§63.11(b)	Flares	Requirements for flares	No.
§63.12	Delegation	State authority to enforce standards	Yes.
§63.13	Addresses	Addresses where reports, notifications, and requests are sent	Yes.
§63.14	Incorporations by Reference	Test methods incorporated by reference	Yes.
§63.15	Availability of Information	Public and confidential information	Yes.

**Resource**

EPA Summary of Regulations Controlling Air Emissions from Gasoline Dispensing Facilities (GDF) Fact Sheet  
<http://www.epa.gov/ttn/atw/area/gdfb.pdf>

**Reference**

The US EPA Electronic Code of Federal Regulations - 40 CFR 63, Subpart CCCCCC National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities web address:  
<http://ecfr.gpoaccess.gov/cqi/t/text/text-idx?c=ecfr&sid=ec747058ccd5763d83153eaa83fe7220&rqn=div6&view=text&node=40:14.0.1.1.1.15&idno=40>

## Indiana Department of Environmental Management Office of Air Quality

### Technical Support Document (TSD) for an Administrative Amendment to a Federally Enforceable State Operating Permit (FESOP)

<b>Source Description and Location</b>
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<b>Source Name:</b>	J.H. Rudolph & Company, Inc.
<b>Source Location:</b>	3300 S. Green River Road, Evansville, IN 47715
<b>County:</b>	Vanderburgh
<b>SIC Code:</b>	2951
<b>Operation Permit No.:</b>	F163-23182-00186 (formerly Plant ID# 163-03408)*
<b>Operation Permit Issuance Date:</b>	January 12, 2007
<b>Administrative Amendment No.:</b>	163-29055-00186*
<b>Permit Reviewer:</b>	Hannah L. Desrosiers

On March 10, 2010, the Office of Air Quality (OAQ) received an application from J.H. Rudolph & Company, Inc. related to a modification to an existing stationary drum hot-mix asphalt plant.

\* Note: The plant ID was changed from 163-03408 to 163-00186 during SPR F163-27958-00186.

<b>Existing Approvals</b>
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The source was issued FESOP Renewal No.: F163-23182-00186 on January 12, 2007. The source has since received the following approvals:

- (a) First Administrative Amendment No.: F163-26043-00186, issued on February 9, 2008;
- (b) First Significant Permit Revision No.: F163-27958-00186, Issued September 16, 2009; and
- (c) Second Administrative Amendment No.: F163-28549-00186, Issued November 18, 2009.

<b>County Attainment Status</b>
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The source is located in Vanderburgh County. The following attainment status designations are applicable to Vanderburgh County:

Pollutant	Designation
O3	Attainment effective January 30, 2006, for the Evansville area, including Vanderburgh County, for the 8-hour ozone standard. <sup>1</sup>
PM10	Unclassifiable effective November 15, 1990.
PM2.5	Basic nonattainment designation effective federally April 5, 2005.
SO2	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
NO2	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Attainment effective October 18, 2000, for the 1-hour ozone standard for the Evansville area, including Vanderburgh County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour designation was revoked effective June 15, 2005.	

- (a) **Ozone Standards**  
Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Vanderburgh County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
  
- (b) **PM2.5**  
U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Vanderburgh County as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office, on behalf of IDEM, filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's New Source Review Rule for PM2.5 promulgated on May 8, 2008, and effective on July 15, 2008. Therefore, direct PM2.5 and SO2 emissions were reviewed pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5. See the "State Rule Applicability – Entire Source" section.
  
- (c) **Other Criteria Pollutants**  
Vanderburgh County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

**Fugitive Emissions**

This type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7. However, prior to this revision, this existing source was already subject to an applicable New Source Performance Standard that was in effect on August 7, 1980, therefore, fugitive emissions are counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

**Status of the Existing Source**

The table below summarizes the potential to emit of the entire source, prior to the proposed revision, after consideration of all enforceable limits established in the effective permits:

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Process/ Emission Unit	Potential To Emit of the Entire Source Prior to Revision (tons/year)								
	PM	*PM10	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Worst Single HAP
<b>Ducted Emissions</b>									
Dryer Fuel Combustion (worst case)	106.73 <sup>(1)</sup>	59.50 <sup>(2)</sup>	59.50 <sup>(2)</sup>	99.89 <sup>(2)</sup>	96.54 <sup>(3)</sup>	23.04 <sup>(2)</sup>	93.60 <sup>(2)</sup>	6.41 <sup>(2)(5)</sup>	6.41 <sup>(2)(5)</sup> (hydrogen chloride)
Dryer/Mixer (Process)									
Magnetite Drying (Process)	1.50 <sup>(1)</sup>	1.50 <sup>(2)</sup>	1.50 <sup>(2)</sup>	0	0	0	0	0	0
Hot Oil Heater Fuel Combustion (worst case)	0.02	0.07	0.07	0.01	0.92	0.05	0.77	negl.	negl.
<b>Total Process Emissions</b>	<b>108.25</b>	<b>61.07</b>	<b>61.07</b>	<b>99.90</b>	<b>97.46</b>	<b>23.09</b>	<b>94.37</b>	<b>6.41</b>	<b>6.41 (hydrogen chloride)</b>
<b>Fugitive Emissions</b>									
Asphalt Load-Out, Silo Filling, On-Site Yard <sup>(4)</sup>	1.92	1.92	1.92	0	0	19.98	4.70	0.42	0.06/0.06 (xylene/formaldehyde)
Material Storage Piles <sup>(4)</sup>	0.46	0.16	0.16	0	0	0	0	0	0
Material Conveying and Handling <sup>(4)</sup>	31.47	14.89	14.89	0	0	0	0	0	0
Material Crushing <sup>(4)</sup> (RAP)	3.55	1.58	1.58	0	0	0	0	0	0
Paved Roads <sup>(4)</sup>	103.81	20.25	20.25	0	0	0	0	0	0
Cold Mix Asphalt Production <sup>(4)</sup>	0	0	0	0	0	56.62	0	NA	NA
Gasoline Fuel Transfer and Dispensing	0	0	0	0	0	negl.	0	negl.	negl.
Volatile Organic Liquid Storage Vessels **	0	0	0	0	0	negl.	0	negl.	negl.
<b>Total Fugitive Emissions</b>	<b>141.21</b>	<b>38.80</b>	<b>38.80</b>	<b>0</b>	<b>0</b>	<b>76.61</b>	<b>4.70</b>	<b>0.42</b>	<b>0.06/0.06 (xylene/formaldehyde)</b>
<b>Total Limited/Controlled Emissions</b>	<b>249.46<sup>(1)</sup></b>	<b>99.87<sup>(2)</sup></b>	<b>99.87<sup>(2)</sup></b>	<b>99.90<sup>(2)</sup></b>	<b>97.46<sup>(3)</sup></b>	<b>99.70<sup>(2)</sup></b>	<b>99.07<sup>(2)</sup></b>	<b>6.83<sup>(2)(5)</sup></b>	<b>6.41<sup>(2)(5)</sup> (hydrogen chloride)</b>
Title V Major Source Thresholds	N/A	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	N/A	250	250	250	250	N/A	N/A
Emission Offset/ Nonattainment NSR Major Source Thresholds	N/A	N/A	100	N/A	N/A	N/A	N/A	NA	NA
negl. = negligible N/A = Not applicable The emissions contained in this table are based upon FESOP No. F163-23182-00186 (formerly plant ID 163-03408). * Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". Additionally, US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions. ** Fugitive emissions from each of the volatile organic liquid storage tanks were calculated using the EPA Tanks 4.0.9d program and were determined to be negligible. (1) Limited PTE based upon existing annual throughput limit and fuel usage limitations to render 326 IAC 2-2 (PSD) not applicable (2) Limited PTE based upon existing annual throughput limit and fuel usage limitations to comply with 326 IAC 2-8 (FESOP). (3) PTE inherently limited by existing annual throughput limit and fuel usage limitations; therefore, no limit is necessary to comply with 326 IAC 2-8 (FESOP). (4) PTE after controls (5) HAP values reflect worst-case chlorine content from the fuel(s) combusted in the 166 MMBtu aggregate dryer burner.									

(a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no attainment regulated pollutant is emitted at a rate of two hundred fifty (250) tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

- (b) This existing source is not a major stationary source under Emission Offset (326 IAC 2-3), because no non-attainment regulated pollutant is emitted at a rate of one hundred (100) tons per year or more.
- (c) This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because the Permittee has accepted limits on HAPs emissions to less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

<b>Description of Proposed Revision</b>
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The Office of Air Quality (OAQ) has reviewed an application, submitted by J.H. Rudolph & Company, Inc., on March 10, 2010, relating to a request from the source to increase their operational flexibility through the addition of steel slag as an aggregate additive, and the production of warm-mix asphalt in their existing hot-mix asphalt plant.

- (a) IDEM agrees with the requested changes, as follows:

- (1) J.H. Rudolph & Company, Inc. would like to be able to use steel slag in their aggregate mix. They are willing to accept limits, as needed, to accommodate this addition.

IDEM agrees with the request. The addition of steel slag has a very small impact upon the SO<sub>2</sub> emissions from this source. Furthermore, the source is willing to accept usage limits, emission limits and SO<sub>2</sub> content limits for the steel slag, such that their existing FESOP limits are not affected by its addition. Finally, criteria pollutant emissions will remain less than Title V Major Source Thresholds, and their FESOP Status, preserved. See ATSD Appendix A for the detailed calculations.

- (2) J.H. Rudolph & Company, Inc. would like to be able to produce "warm" asphalt in their existing hot-mix asphalt plant. They are willing to adjust their limits, as needed, to accommodate this addition.

According to the Federal Highway Administration, Office of Pavement Technology, Warm Mix Asphalt Technologies and Research Section (<http://www.fhwa.dot.gov/pavement/asphalt/wma.cfm>), an immediate benefit to producing Warm-mix Asphalt (WMA) is a reduction in the amount of fuel needed during production. The five WMA technologies listed on the website appear to allow the production of WMA at lower temperatures by reducing the viscosity of the asphalt binder, allowing the aggregate to be fully coated at a lower temperature than is traditionally required in HMA production. With the decreased production temperature, comes the additional benefit of reduced emissions from burning fuels, fumes, and odors generated during asphalt production, and later during the paving application.

IDEM agrees with the requested change, since the addition of warm-mix asphalt will not increase emissions from this source. However, since no emission factors exist for the production of warm-mix asphalt, the worst-case is assumed and the annual asphalt production limit will include the production of both hot and warm-mix asphalt, combined.

The source is welcome to perform a test to determine the emissions from the production of warm-mix asphalt in the existing production plant, and submit a request for revision if desired.

- (b) The following is a list of the affected existing emission unit(s) and pollution control device(s), as currently described in FESOP No. F163-28549-00186 (formerly plant ID 163-03408):

- (1) One (1) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, with a burner capacity of 116 million British thermal units per hour, exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel as backup fuels;

**Enforcement Issues**

There are no pending enforcement actions related to this revision.

**Emission Calculations**

See Appendices A.1 and A.2 of this TSD for detailed emission calculations.

**Note:** No emission factors exist for the production of warm-mix asphalt, therefore, in the absence of valid emission factors for the calculation of emissions from warm-mix asphalt, the worst-case is assumed, and emissions are assumed equal to the emissions from the hot-mix asphalt production. However, in order to maintain its FESOP status, this source has elected to have the annual asphalt production limit include the production of both hot and warm-mix asphalt combined. Therefore, there will be no net increase in emissions from the addition of the warm-mix asphalt production capability.

**Permit Level Determination – FESOP Revision**

The following table is used to determine the appropriate permit level under 326 IAC 2-8.11.1. This table reflects the PTE before controls of the proposed revision. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Process/ Emission Unit	PTE of Proposed Revision (tons/year)								
	PM	PM10*	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Worst Single HAP
<b>Ducted Emissions</b>									
Dryer/Mixer Slag Processing	0	0	0	2.59	0	0	0	0	N/A
Warm-mix Asphalt Production <sup>α</sup>	****	****	****	****	****	****	****	****	****
<b>Total PTE of Proposed Revision</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2.59</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<p>* Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant".</p> <p><sup>α</sup> In the absence of valid emission factors for the calculation of emissions from warm-mix asphalt, emissions are assumed equal to the emissions from the hot-mix asphalt production and the annual production limit will be a combined limit, including both types of asphalt. Therefore, there will be no net increase in emissions from the addition of the warm-mix asphalt production capability.</p>									

This FESOP is being revised through a FESOP Administrative Amendment pursuant to 326 IAC 2-8-10, because the revision involves the addition of processes with potential to emit (PTE) regulated criteria pollutants and hazardous air pollutants less than the ranges specified 326 IAC 2-8-11.1(d)(4) and 326 IAC 2-8-11.1(f)(1)(G), respectively.

**PTE of the Entire Source After Issuance of the FESOP Revision**

The table below summarizes the potential to emit of the entire source, with updated emissions shown as **bold** values and previous emissions shown as ~~strike through~~ values.

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Process/ Emission Unit	Potential To Emit of the Entire Source to accommodate the Proposed Revision (tons/year)								
	PM	*PM10	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Worst Single HAP
<b>Ducted Emissions</b>									
Dryer Fuel Combustion (worst case)	106.73 <sup>(1)</sup>	59.50 <sup>(2)</sup>	59.50 <sup>(2)</sup>	99.89 <sup>(2)</sup>	96.54 <sup>(3)</sup>	23.04 <sup>(2)</sup>	93.60 <sup>(2)</sup>	6.41 <sup>(2)(5)</sup>	6.41 <sup>(2)(5)</sup> (hydrogen chloride)
Dryer/Mixer (Process)									
Magnetite Drying (Process)	1.50 <sup>(1)</sup>	1.50 <sup>(2)</sup>	1.50 <sup>(2)</sup>	0	0	0	0	0	0
<b>Dryer/Mixer Slag Processing</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.07<sup>(6)</sup></b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Hot Oil Heater Fuel Combustion (worst case)	0.02	0.07	0.07	0.01	0.92	0.05	0.77	negl.	negl.
<b>Total Process Emissions</b>	<b>108.25</b>	<b>61.07</b>	<b>61.07</b>	<b>99.97</b> <del>99.90</del>	<b>97.46</b>	<b>23.09</b>	<b>94.37</b>	<b>6.41</b>	<b>6.41</b> (hydrogen chloride)
<b>Fugitive Emissions</b>									
Asphalt Load-Out, Silo Filling, On-Site Yard <sup>(4)</sup>	1.92	1.92	1.92	0	0	19.98	4.70	0.42	0.06/0.06 (xylene/formaldehyde)
Material Storage Piles <sup>(4)</sup>	0.46	0.16	0.16	0	0	0	0	0	0
Material Conveying and Handling <sup>(4)</sup>	31.47	14.89	14.89	0	0	0	0	0	0
Material Crushing <sup>(4)</sup> (RAP)	3.55	1.58	1.58	0	0	0	0	0	0
Paved Roads <sup>(4)</sup>	103.81	20.25	20.25	0	0	0	0	0	0
Cold Mix Asphalt Production <sup>(4)</sup>	0	0	0	0	0	56.62	0	NA	NA
Gasoline Fuel Transfer and Dispensing	0	0	0	0	0	negl.	0	negl.	negl.
Volatile Organic Liquid Storage Vessels **	0	0	0	0	0	negl.	0	negl.	negl.
<b>Total Fugitive Emissions</b>	<b>141.21</b>	<b>38.80</b>	<b>38.80</b>	<b>0</b>	<b>0</b>	<b>76.61</b>	<b>4.70</b>	<b>0.42</b>	<b>0.06/0.06</b> (xylene/formaldehyde)
<b>Total Limited/Controlled Emissions</b>	<b>249.46<sup>(1)</sup></b>	<b>99.87<sup>(2)</sup></b>	<b>99.87<sup>(2)</sup></b>	<b>99.97<sup>(2)(6)</sup></b> <del>99.90</del>	<b>97.46<sup>(3)</sup></b>	<b>99.70<sup>(2)</sup></b>	<b>99.07<sup>(2)</sup></b>	<b>6.83<sup>(2)(5)</sup></b>	<b>6.41<sup>(2)(5)</sup></b> (hydrogen chloride)
Title V Major Source Thresholds	N/A	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	N/A	250	250	250	250	N/A	N/A
Emission Offset/ Nonattainment NSR Major Source Thresholds	N/A	N/A	100	N/A	N/A	N/A	N/A	NA	NA
negl. = negligible      N/A = Not applicable The emissions contained in this table are based upon FESOP No. F163-23182-00186 (formerly plant ID 163-03408). * Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". Additionally, US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions. ** Fugitive emissions from each of the volatile organic liquid storage tanks were calculated using the EPA Tanks 4.0.9d program and were determined to be negligible. (1) Limited PTE based upon existing annual throughput limit and fuel usage limitations to render 326 IAC 2-2 (PSD) not applicable (2) Limited PTE based upon existing annual throughput limit and fuel usage limitations to comply with 326 IAC 2-8 (FESOP). (3) PTE inherently limited by existing annual throughput limit and fuel usage limitations; therefore, no limit is necessary to comply with 326 IAC 2-8 (FESOP). (4) PTE after controls (5) HAP values reflect worst-case chlorine content from the fuel(s) combusted in the 166 MMBtu aggregate dryer burner. (6) <b>Limited PTE based upon annual steel slag characteristics and usage limitations to comply with 326 IAC 2-8 (FESOP).</b>									

The table below summarizes the potential to emit of the entire source after issuance of this revision, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this FESOP permit revision, and only to the extent that the effect of the control equipment is made

practically enforceable in the permit. (Note: the table below was generated from the above table, with bold text un-bolded and strikethrough text deleted).

Process/ Emission Unit	Potential To Emit of the Entire Source After Issuance of Revision (tons/year)								
	PM	*PM10	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Worst Single HAP
<b>Ducted Emissions</b>									
Dryer Fuel Combustion (worst case)	106.73 <sup>(1)</sup>	59.50 <sup>(2)</sup>	59.50 <sup>(2)</sup>	99.89 <sup>(2)</sup>	96.54 <sup>(3)</sup>	23.04 <sup>(2)</sup>	93.60 <sup>(2)</sup>	6.41 <sup>(2)(5)</sup>	6.41 <sup>(2)(5)</sup> (hydrogen chloride)
Dryer/Mixer (Process)									
Magnetite Drying (Process)	1.50 <sup>(1)</sup>	1.50 <sup>(2)</sup>	1.50 <sup>(2)</sup>	0	0	0	0	0	0
Dryer/Mixer Slag Processing	0	0	0	0.07 <sup>(6)</sup>	0	0	0	0	0
Hot Oil Heater Fuel Combustion (worst case)	0.02	0.07	0.07	0.01	0.92	0.05	0.77	negl.	negl.
<b>Total Process Emissions</b>	<b>108.25</b>	<b>61.07</b>	<b>61.07</b>	<b>99.97</b>	<b>97.46</b>	<b>23.09</b>	<b>94.37</b>	<b>6.41</b>	<b>6.41 (hydrogen chloride)</b>
<b>Fugitive Emissions</b>									
Asphalt Load-Out, Silo Filling, On-Site Yard <sup>(4)</sup>	1.92	1.92	1.92	0	0	19.98	4.70	0.42	0.06/0.06 <sup>(5)</sup> (xylene/formaldehyde)
Material Storage Piles <sup>(4)</sup>	0.46	0.16	0.16	0	0	0	0	0	0
Material Conveying and Handling <sup>(4)</sup>	31.47	14.89	14.89	0	0	0	0	0	0
Material Crushing <sup>(4)</sup> (RAP)	3.55	1.58	1.58	0	0	0	0	0	0
Paved Roads <sup>(4)</sup>	103.81	20.25	20.25	0	0	0	0	0	0
Cold Mix Asphalt Production <sup>(4)</sup>	0	0	0	0	0	56.62	0	NA	NA
Gasoline Fuel Transfer and Dispensing	0	0	0	0	0	negl.	0	negl.	negl.
Volatile Organic Liquid Storage Vessels **	0	0	0	0	0	negl.	0	negl.	negl.
<b>Total Fugitive Emissions</b>	<b>141.21</b>	<b>38.80</b>	<b>38.80</b>	<b>0</b>	<b>0</b>	<b>76.61</b>	<b>4.70</b>	<b>0.42</b>	<b>0.06/0.06 (xylene/formaldehyde)</b>
<b>Total Limited/Controlled Emissions</b>	<b>249.46<sup>(1)</sup></b>	<b>99.87<sup>(2)</sup></b>	<b>99.87<sup>(2)</sup></b>	<b>99.97<sup>(2),(6)</sup></b>	<b>97.46<sup>(3)</sup></b>	<b>99.70<sup>(2)</sup></b>	<b>99.07<sup>(2)</sup></b>	<b>6.83<sup>(2)(5)</sup></b>	<b>6.41<sup>(2)(5)</sup> (hydrogen chloride)</b>
Title V Major Source Thresholds	N/A	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	N/A	250	250	250	250	N/A	N/A
Emission Offset/ Nonattainment NSR Major Source Thresholds	N/A	N/A	100	N/A	N/A	N/A	N/A	NA	NA
negl. = negligible      N/A = Not applicable The emissions contained in this table are based upon FESOP No. F163-23182-00186 (formerly plant ID 163-03408). * Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". Additionally, US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions. ** Fugitive emissions from each of the volatile organic liquid storage tanks were calculated using the EPA Tanks 4.0.9d program and were determined to be negligible. (1) Limited PTE based upon existing annual throughput limit and fuel usage limitations to render 326 IAC 2-2 (PSD) not applicable (2) Limited PTE based upon existing annual throughput limit and fuel usage limitations to comply with 326 IAC 2-8 (FESOP). (3) PTE inherently limited by existing annual throughput limit and fuel usage limitations; therefore, no limit is necessary to comply with 326 IAC 2-8 (FESOP). (4) PTE after controls (5) HAP values reflect worst-case chlorine content from the fuel(s) combusted in the 166 MMBtu aggregate dryer burner. (6) Limited PTE based upon annual steel slag characteristics and usage limitations to comply with 326 IAC 2-8 (FESOP).									

(a) FESOP Status

This revision to an existing Title V minor stationary source will not change the minor status, because the potential to emit criteria pollutants from the entire source will still be limited to less than the Title V major source threshold levels. Therefore, the source will still be subject to the provisions of 326 IAC 2-8 (FESOP).

In order to comply with the requirements of 326 IAC 2-8-4 (FESOP), the source shall comply with the following:

- (a) The amount of steel slag used in the production of hot-mix and warm-mix asphalt, combined, shall not exceed 100,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) The calendar-month average sulfur content of the steel slag shall not exceed sixty-six hundredths percent (0.66%) by weight with compliance determined at the end of each month.
- (c) SO<sub>2</sub> emissions from the steel slag used in the hot-mix asphalt dryer/mixer shall not exceed fourteen ten-thousandths (0.0014) pounds of SO<sub>2</sub> per ton of steel slag processed.

Compliance with these limits, combined with the potential to emit SO<sub>2</sub> from all other emission units at this source, shall limit the source-wide total potential to emit SO<sub>2</sub> to less than one hundred (100) tons per twelve (12) consecutive month period, and shall render 326 IAC 2-7 (Part 70 Permits) and 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.

(b) PSD Minor Source

This modification to an existing PSD minor stationary source will not change the PSD minor status, because the potential to emit of all attainment regulated pollutants from the entire source will continue to be limited to less than the PSD major source threshold levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

(c) Emission Offset Minor Source

This modification to an existing Emission Offset minor stationary source will not change the Emission Offset minor status, because the potential to emit of all nonattainment regulated pollutants from the entire source will continue to be limited to less than the Emission Offset major source threshold levels. Therefore, pursuant to 326 IAC 2-3, the Emission Offset requirements do not apply.

<b>Federal Rule Applicability Determination</b>
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New Source Performance Standards (NSPS)

There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included for this proposed revision.

National Emission Standards for Hazardous Air Pollutants (NESHAP)

There are no National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 20 and 40 CFR Part 63) included for this proposed revision.

Compliance Assurance Monitoring (CAM)

Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is not included in the permit, because the potential to emit of the source is limited to less than the Title V major source thresholds and the source is not required to obtain a Part 70 or Part 71 permit.

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### State Rule Applicability Determination

The following state rules are applicable to the proposed revision:

- (a) 326 IAC 2-2 (Prevention of Significant Deterioration(PSD))  
This modification to an existing PSD minor stationary source will not change the PSD minor status, because the potential to emit of all attainment regulated pollutants from the entire source will still be limited to less than the PSD major source threshold levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply. See PTE of the Entire Source After Issuance of the FESOP Revision Section above.
- (b) 326 IAC 2-3 (Emission Offset) and 326 IAC 2-1.1-5 (Nonattainment New Source Review)  
This modification to an existing Emission Offset minor stationary source will not change the Emission Offset minor status, because the potential to emit of all nonattainment regulated pollutants from the entire source will still be limited to less than the Emission Offset major source threshold levels. Therefore, pursuant to 326 IAC 2-3, the Emission Offset requirements do not apply. See PTE of the Entire Source After Issuance of the FESOP Revision Section above.
- This modification to an existing minor stationary source under 326 IAC 2-1.1-5 (Nonattainment New Source Review) will not change the minor status, because the potential to emit of PM<sub>2.5</sub> from the entire source will still be limited to less than one hundred (100) tons per year. Therefore, pursuant to 326 IAC 2-1.1-5, the Nonattainment New Source Review requirements do not apply. See PTE of the Entire Source After Issuance of the FESOP Revision Section above.
- (c) 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))
- (1) The addition of steel slag is not subject to the requirements of 326 IAC 2-4.1, since the unlimited potential to emit of HAPs from the use of this material in the aggregate mix is less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs.
- (2) The unlimited potential to emit of HAPs from the production of warm-mix asphalt is greater than ten (10) tons per year for any single HAP and/or greater than twenty-five (25) tons per year of a combination of HAPs (assumed equal to emissions from the production of hot-mix asphalt). However, the source shall continue to limit the potential to emit of HAPs from the existing asphalt production plant to less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, the proposed revision is not subject to the requirements of 326 IAC 2-4.1. See PTE of the Entire Source After Issuance of the FESOP Revision Section above.
- (d) 326 IAC 2-6 (Emission Reporting)  
Pursuant to 326 IAC 2-6-1, this source is not subject to this rule, because it is not required to have an operating permit under 326 IAC 2-7 (Part 70), it is not located in Lake, Porter, or LaPorte County, and it does not emit lead into the ambient air at levels equal to or greater than 5 tons per year. Therefore, 326 IAC 2-6 does not apply. Therefore, pursuant to 326 IAC 2-6-1(b), the source is still only subject to additional information requests as provided in 436 IAC 2-6-5.
- (e) 326 IAC 2-8-4 (FESOP)  
This revision to an existing Title V minor stationary source will not change the minor status, because the potential to emit criteria pollutants from the entire source will still be limited to less than the Title V major source threshold levels. Therefore, the source will still be subject to the provisions of 326 IAC 2-8 (FESOP). See PTE of the Entire Source After Issuance of the FESOP Revision Section above.
- (f) 326 IAC 5-1 (Opacity Limitations)  
Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall continue to meet the following, unless otherwise stated in this permit:

- (1) Opacity shall continue to 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.
  - (2) Opacity shall continue to 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.
- (g) 326 IAC 6-4 (Fugitive Dust Emissions Limitations)  
Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source shall continue to 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.
- (h) 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)  
Due to this revision, the source is still subject to the requirements of 326 IAC 6-5, because the production of warm-mix asphalt has potential fugitive particulate emissions (assumed equal to emissions from the production of hot-mix asphalt) greater than twenty-five (25) tons per year. Pursuant to 326 IAC 6-5, fugitive particulate matter emissions shall continue to be controlled according to the Fugitive Dust Control Plan, which is included as Attachment A to the permit.
- (i) 326 IAC 7-1.1 (Sulfur Dioxide Emissions Limitations)  
The proposed revision is subject to 326 IAC 7-1.1 because the dryer/mixer burner continues to have potential SO<sub>2</sub> emissions greater than twenty-five (25) tons per year (assumed equal to emissions from the production of hot-mix asphalt). Pursuant to this rule, sulfur dioxide emissions from the dryer burner and hot oil heater burner shall each continue to be limited to five-tenths (0.5) pounds per million Btu for distillate fuel and one and six-tenths (1.6) pounds per million Btu for residual fuel.
- (j) 326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)  
The unlimited potential to emit VOCs from the production of warm-mix asphalt (assumed equal to emissions from the production of hot-mix asphalt) is greater than twenty-five (25) tons per year. However, the source shall continue to limit the potential to emit VOCs from the existing asphalt production plant to less than twenty-five (25) tons per year. Therefore, the proposed revision is not subject to the requirements of 326 IAC 8-1-6.
- In order to render the requirements of 326 IAC 8-1-6 not applicable, the existing drum mix dryer shall continue to be limited as follows:
- (a) VOC emissions from the drum mix dryer shall not exceed 0.032 pounds of VOC per ton of hot mix, and/or warm-mix, asphalt produced.
  - (b) VOC emissions from the silo filling process shall not exceed 0.0122 pounds of VOC per tons of hot mix, and/or warm-mix, asphalt produced.
- Compliance with these limits shall continue to limit the potential to emit VOCs from the existing drum mix dryer to less than twenty-five (25) tons per twelve (12) consecutive month period and shall render 326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities) not applicable.
- (k) There are no other 326 IAC 8 Rules that are applicable to the proposed revision.
- (l) 326 IAC 12 (New Source Performance Standards)  
See Federal Rule Applicability Section of this TSD.
- (m) 326 IAC 20 (Hazardous Air Pollutants)  
See Federal Rule Applicability Section of this TSD.

## Compliance Determination, Monitoring and Testing Requirements

Note: The existing compliance monitoring, recordkeeping, and reporting requirements, not addressed in this TSD, will not change as a result of this revision. The source shall continue to comply with the applicable requirements and permit conditions as contained in FESOP No: F163-28549-00186 (formerly plant ID 163-03408), issued on November 18, 2009.

### Compliance Determination Requirements

- (1) The combined annual hot-mix, and warm-mix, asphalt production rate will continue to be used to verify compliance with the FESOP PM, PM10, PM2.5, VOC, and CO emission limitations, and the BACT avoidance VOC emission limitation; and
- (2) The steel slag characteristics (i.e., sulfur content) and usage rates will be used to verify compliance with the SO2 emission limitations.

### Compliance Monitoring Requirements

There are no specific compliance monitoring requirements applicable to this proposed revision.

### Testing Requirements

There are no specific testing requirements applicable to this proposed revision, because test data from a similar operation has been used.

### Record keeping and Reporting Requirements

- (1) Records of the combined annual hot-mix, and warm-mix, asphalt production rate shall be kept;
- (2) Records of actual steel slag usage, calendar-month average sulfur content, and equivalent sulfur dioxide emission rates for all steel slag used shall be kept; and
- (3) A quarterly summary of the combined annual hot-mix, and warm-mix, asphalt production rate shall be submitted; and
- (4) A quarterly summary of actual steel slag usage shall be submitted.

## Proposed Changes

a.] The following changes listed below are due to the proposed revision. Deleted language appears as ~~strike through~~ text and new language appears as **bold** text. Unaffected permit conditions have been re-numbered where applicable, and the Table of Contents updated.

- 1.] Original conditions A.1, A.2, D.1, D.1.4, D.1.6, D.1.7, D.1.8, D.1.13, D.1.18, and D.1.19, pages 4 and 22 through 29 of 52 of the permit, have been revised to reflect the addition of the warm-mix asphalt production and usage of slag as an aggregate additive.
- 2.] A new form, for reporting slag usage, has been added to the permit to assist the source in maintaining compliance with the limit established in condition D.1.4.
- 3.] Original condition D.1.18, pages 28 and 28 of 52 of the permit has been revised to correct several of the conditional references.

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### A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary drum-mix asphalt plant (formerly identified under plant ID 163-03408), **with the capability of producing both hot-mix and warm-mix asphalt, and a cold-mix asphalt production operation. This source processes steel slag in its aggregate mix.**

\*\*\*\*\*

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) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, **processing steel slag in the aggregate mix**, with a burner capacity of 116 million British thermal units per hour, **and** exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel as backup fuels. **This unit has the capability of processing both hot-mix and warm-mix asphalt;**

\*\*\*\*\*

SECTION D.1

FACILITY OPERATION CONDITIONS

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

- (a) One (1) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, **processing steel slag in the aggregate mix**, with a burner capacity of 116 million British thermal units per hour, **and** exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel as backup fuels. **This unit has the capability of processing both hot-mix and warm-mix asphalt;**

\*\*\*\*\*

\*\*\*\*\*

D.1.4 FESOP and PSD Limits [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, and in order to limit the SO2 emissions from the aggregate dryer, the Permittee shall comply with the following:

~~Pursuant to 326 IAC 2-8-4 (FESOP), and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall not use slag as an aggregate additive in its hot mix asphalt operations.~~

- (a) The amount of steel slag used in the production of hot-mix and warm-mix asphalt, combined, shall not exceed 100,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) The calendar-month average sulfur content of the steel slag shall not exceed sixty-six hundredths percent (0.66%) by weight with compliance determined at the end of each month;
- (c) SO2 emissions from the steel slag used in the hot-mix asphalt dryer/mixer shall not exceed fourteen ten-thousandths (0.0014) pounds of SO2 per ton of steel slag processed;

Compliance with ~~these limits~~ **this requirement**, combined with the potential SO2 emissions from all other emission units at this source, shall limit the source-wide total potential to emit SO2 to less than one hundred (100) tons per twelve (12) consecutive month period, and shall render 326 IAC 2-7 (Part 70 Permits) and 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.

D.1.6 FESOP Limit [326 IAC 2-8]

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

- (a) The annual throughput to the aggregate dryer shall be not exceed 1,440,000 tons of **hot-mix and warm-mix asphalt, combined**, per twelve (12) consecutive month period, with compliance determined at the end of each month.

\*\*\*\*\*

D.1.7 Volatile Organic Compounds (VOCs) [326 IAC 8-1-6]

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- (a) VOC emissions from the drum mix dryer shall not exceed 0.032 pounds of VOC per ton of hot mix, **and/or warm-mix**, asphalt produced.
- (b) VOC emissions from the silo filling process shall not exceed 0.0122 pounds of VOC per tons of hot mix, **and/or warm-mix**, asphalt produced.

\*\*\*\*\*

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

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

- (a) CO emissions from the drum mix dryer shall not exceed 0.13 pounds of CO per ton of hot mix, **and/or warm-mix**, asphalt produced.
- (b) CO emissions from the silo filling process shall not exceed 0.019 pounds of VOC per ton of hot mix, **and/or warm-mix**, asphalt produced.

\*\*\*\*\*

D.1.13 Sulfur Dioxide Emissions and Sulfur Content

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Compliance shall be determined utilizing one of the following options.

- (a) **Compliance with the slag limitations established in Condition D.1.4(b) shall be determined utilizing one of the following options.**
  - (1) **Providing vendor analysis of the steel slag delivered, if accompanied by a vendor certification; or**
  - (2) **Analyzing a sample of the slag delivery to determine the sulfur content of the steel slag, 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.**
  - (3) **Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the one hundred twenty (120) million British thermal units per hour burner, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, or other procedures approved by IDEM, OAQ.**

**A determination of noncompliance pursuant to any of the methods specified above shall not be refuted by evidence of compliance pursuant to the other method.**

- (ba) 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 British thermal unit heat input when operating on No. 2 distillate oil, and biodiesel, each, and one and six-tenths (1.6) pounds per million British thermal unit heat input when operating on No. 4 fuel oil and waste oil (No. 4) by:

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D.1.18 Record Keeping Requirements

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- (a) **To document compliance with the slag limitations in condition D.1.4, the Permittee shall maintain monthly records of the information listed in items (1) through (4) below.**
  - (1) **Calendar dates covered in the compliance determination period;**
  - (2) **Actual steel slag usage, calendar-month average sulfur content and equivalent sulfur dioxide emission rates for all steel slag used at the source since the last compliance determination period;**

- (3) **A certification, signed by the owner or operator, that the records of the slag supplier certifications represent all of the steel slag used during the period; and**
- (4) **If the slag supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:**
  - (A) **Slag supplier certifications;**
  - (B) **The name of the slag supplier; and**
  - (C) **A statement from the slag supplier that certifies the sulfur content of the steel slag.**

**Records that may be used to document the information included in (1) through (4) may include delivery tickets, manufacturer's data, material safety data sheets (MSDS), and other documents necessary to verify the type and amount used.**

- (b) To document compliance with condition D.1.6, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with the annual throughput limits to the aggregate dryer and magnetite drying operation established in Condition D.1.6~~5~~.

\*\*\*\*\*

- (~~ca~~) To document compliance with conditions D.1.9 and D.1.10, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) below shall be complete and sufficient to establish compliance with the SO<sub>2</sub> emission limits established in conditions D.1.9 **and D.1.10**.

\*\*\*\*\*

- (~~de~~) The Permittee shall maintain records sufficient to verify compliance with the procedures specified in Condition D.1.13. Records shall be maintained for a period of five (5) years and shall be made available upon request by IDEM, OAQ.
- (~~ed~~) To document compliance with Condition D.1.15, the Permittee shall maintain daily records of visible emission notations from the magnetite dryer, aggregate dryer, and burner baghouse stack exhaust and the crushing, conveying, material transfer points, and screening or the reason why visible emission notations were not taken.
- (~~fe~~) To document compliance with Condition D.1.16, the Permittee shall maintain daily records of the pressure drop during normal operation or the reason why a pressure drop reading was not taken.
- (~~gf~~) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.19 Reporting Requirements

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A quarterly summary of the information to document compliance with Conditions **D.1.4(a)**, D.1.6, D.1.9, and D.1.10, shall be submitted to the address 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

\*\*\*\*\*

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

**FESOP Quarterly Report**

**Source Name:** J.H. Rudolph & Company, Inc.  
**Source Address:** 3300 S. Green River Road, Evansville, IN 47715  
**Mailing Address:** P.O. Box 5226, Evansville, IN 47716  
**FESOP No.:** F163-23182-00186 (formerly plant ID 163-03408)  
**Facility:** 650 ton/hr aggregate mixer  
**Parameter:** Steel Slag Usage  
**Limit:** Maximum steel slag usage, in the aggregate mix, shall not exceed 100,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

**QUARTER:** \_\_\_\_\_ **MONTH:** \_\_\_\_\_ **YEAR:** \_\_\_\_\_

Month	Column 1 Steel Slag Usage (tons)	Column 2 Steel Slag Usage (tons)	Column 1 + Column 2 Steel Slag Usage (tons)
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- 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 Quarterly Report**

Source Name: J.H. Rudolph & Company Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716-5226  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
Facility: 650 ton/hr aggregate mixer

Parameter: **Combined Hot-Mix and Warm-Mix Asphalt Production** ~~Throughput~~

Limit: The annual throughput to the aggregate dryer shall be limited to 1,440,000 tons of **hot-mix and warm-mix** asphalt, **combined**, per twelve (12) consecutive month period, with compliance determined at the end of each month.

\*\*\*\*\*

b.] 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**:

- 1.] The emission unit descriptions, contained in conditions A.2 and D.1, have been revised to clarify the fuel usage at the source. The source uses each listed fuel type interchangeably, as cost and availability permit. This source has no fuels considered as "back-up" fuels.
- 2.] For clarity, IDEM, OAQ has changed references to the general conditions: "in accordance with Section B", "in accordance with Section C", or other similar language, to "Section C ... contains the Permittee's obligations with regard to the records required by this condition."
- 3.] IDEM has decided that the phrases "*no later than*" and "*not later than*" are clearer than "*within*" in relation to the end of a timeline. Therefore, all timelines have been switched to "*no later than*" or "*not later than*" except for the timelines in Section B - Emergency Provisions because the underlying rule states for these conditions to specify "*within*."
- 4.] Section B -Duty to Provide Information has been revised.
- 5.] To clarify that Section B - Certification only states what a certification must be, IDEM, OAQ has revised the condition.
- 6.] IDEM has decided to clarify what rule requirements a certification needs to meet. IDEM has decided to remove the last sentence dealing with the need for certification from the forms because the Conditions requiring the forms already address this issue.
- 7.] IDEM, OAQ has decided to clarify Section B - Preventive Maintenance Plan to be consistent with the rule.
- 8.] IDEM, OAQ is revising Section B - Emergency Provisions to delete paragraph (h). 326 IAC 2-8-4(3)(C)(ii) allows that deviations reported under an independent requirement do not have to be included in the Quarterly Deviation and Compliance Monitoring Report.
- 9.] IDEM, OAQ has decided to state which rule establishes the authority to set a deadline for the Permittee to submit additional information. Therefore, Section B - Permit Renewal has been revised.

- 10.] IDEM, OAQ has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.
- 11.] IDEM, OAQ has revised Section C - Incineration to more closely reflect the two underlying rules.
- 12.] IDEM, OAQ has removed the first paragraph of Section C - Performance Testing due to the fact that specific testing conditions elsewhere in the permit will specify the timeline and procedures.
- 13.] IDEM, OAQ has revised Section C - Compliance Monitoring. The reference to recordkeeping has been removed due to the fact that other conditions already address recordkeeping. The voice of the condition has been changed to clearly indicate that it is the Permittee that must follow the requirements of the condition.
- 14.] IDEM has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required state what methods shall be used.
- 15.] IDEM, OAQ has revised Section C - Response to Excursions or Exceedances. The introduction sentence has been added to clarify that it is only when an excursion or exceedance is detected that the requirements of this condition need to be followed. The word "excess" was added to the last sentence of paragraph (a) because the Permittee only has to minimize excess emissions. The middle of paragraph (b) has been deleted, as it was duplicative of paragraph (a). The phrase "or are returning" was added to subparagraph (b)(2) as this is an acceptable response assuming the operation or emission unit does return to normal or its usual manner of operation. The phrase "within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable" was replaced with "normal or usual manner of operation" because the first phrase is just a limited list of the second phrase. The recordkeeping required by paragraph (e) was changed to require only records of the response because the previously listed items are required to be recorded elsewhere in the permit.
- 16.] IDEM, OAQ has revised Section C - Actions Related to Noncompliance Demonstrated by a Stack Test. The requirements to take response steps and minimize excess emissions have been removed because Section C - Response to Excursions or Exceedances already requires response steps related to exceedances and excess emissions minimization. The start of the timelines was switched from "the receipt of the test results" to "the date of the test". There was confusion if the "receipt" was by IDEM, OAQ, the Permittee, or someone else. Since the start of the timelines has been moved up, the length of the timelines was increased. The new timelines require action within a comparable timeline; and the new timelines still ensure that the Permittee will return to compliance within a reasonable timeframe.
- 17.] The voice of paragraph (b) of Section C - General Record Keeping Requirements has been changed to clearly indicate that it is the Permittee that must follow the requirements of the paragraph.
- 18.] IDEM, OAQ has decided that having a separate condition for the reporting of deviations is unnecessary. Therefore, IDEM has removed Section B - Deviation from Permit Requirements and Conditions and added the requirements of that condition to Section C - General Reporting Requirements. Paragraph (d) of Section C - General Reporting Requirements has been removed because IDEM already states the timeline and certification needs of each report in the condition requiring the report.
- 19.] IDEM, OAQ has decided to simplify the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1.

- 20.] IDEM, OAQ has decided to clarify Section D - Testing Requirements.
- 21.] IDEM, OAQ has included the replacement of an instrument as an acceptable action in Section D - Parametric Monitoring.
- 22.] The word "status" has been added to Section D - Record Keeping Requirements, and Section D - Reporting Requirements. The Permittee has the obligation to document the compliance status. The wording has been revised to properly reflect this.
- 23.] A field for indicating "Quarter" and Month" has been added to each of the FESOP Quarterly Report Forms for clarification and ease of reporting.
- 24.] The phrase "of this permit" has been added to the paragraph of the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule.

\*\*\*\*\*

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) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, **processing steel slag in the aggregate mix**, with a burner capacity of 116 million British thermal units per hour, **and** exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel as **available backup fuels**. **This unit has the capability of processing both hot-mix and warm-mix asphalt;**

\*\*\*\*\*

**SECTION D.1 FACILITY OPERATION CONDITIONS**

**Facility Description [326 IAC 2-8-4(10)]:**

- (b) One (1) six hundred fifty (650) tons per hour aggregate dryer, installed in June 1990, **processing steel slag in the aggregate mix**, with a burner capacity of 116 million British thermal units per hour, **and** exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, #2 fuel oil, #4 fuel oil, #4 waste oil, and biodiesel as **available backup fuels**. **This unit has the capability of processing both hot-mix and warm-mix asphalt;**

\*\*\*\*\*

\*\*\*\*\*

**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 Revocation of Permits [326 IAC 2-1.1-9(5)]**

~~Pursuant to 326 IAC 2-1.1-9(5)(Revocation of Permits), the Commissioner may revoke this permit if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.~~

**B.3 Affidavit of Construction [326 IAC 2-5.1-3(h)] [326 IAC 2-5.1-4]**

~~This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 when prior to the start of operation, the following requirements are met:~~

- (a) ~~The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the~~

~~Affidavit of Construction is postmarked or hand delivered to IDEM if constructed as proposed.~~

- ~~(b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.~~
- ~~(c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.~~

~~B.4 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]~~

- ~~(a) This permit, F163-23182-00186 (formerly plant ID 163-03408), 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.5 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.6 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, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.~~

~~B.7 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.8 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.9 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.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 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.12 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.13 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.14 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 Section), or  
Telephone Number: 317-233-0178 (ask for Compliance Section)  
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(e)(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. Any emergencies that have been previously reported pursuant to paragraph (b)(5) of this condition and certified by an "authorized individual" need only~~

referenced by the date of the original report.

~~B.15 — Prior Permits Superseded [326 IAC 2-1.1-9.5]~~

~~(a) — All terms and conditions of permits established prior to F163-23182-00186 (formerly plant ID 163-03408) 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.16 — 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.17 — 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.18 — 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.19 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.20 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.21 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 in 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.22 — Source Modification Requirement [326 IAC 2-8-11.1]~~

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

~~B.23 — Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC13-30-3-1]~~

~~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.24 — 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.25 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.26 Advanced Source Modification Approval[326 IAC 2-8-4(11)] [326 IAC 2-1.1-9]~~

- ~~(a) The requirements to obtain a permit modification under 326 IAC 2-8-11.1 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2.~~
- ~~(b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.~~

~~B.27 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 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, F163-23182-00186, 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]**

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**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] [IC 13-17-12]**

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

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**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)]**

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**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)]**

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- (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. 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)]**

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- (a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:
  - (i) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and
  - (ii) the certification is based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent 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)]**

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- (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.**
  
- (d) 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:**
  - (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.**

**The Permittee shall implement the PMPs.**

- (b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date 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

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.

- (c) 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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) 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]**

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- (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, SWRO 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 Office of Air Quality, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.**

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

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- (a) **All terms and conditions of permits established prior to F163-23182-00186 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)]**

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**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 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.16 Permit Renewal [326 IAC 2-8-3(h)]**

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- (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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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, pursuant to 326 IAC 2-8-3(g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.**

**B.17 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]**

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- (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 does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]**

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- (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.19 Source Modification Requirement [326 IAC 2-8-11.1]**

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

**B.20 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.21 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**

**Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.22 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 no later than 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.23 Advanced Source Modification Approval [326 IAC 2-8-4(11)] [326 IAC 2-1.1-9]**

- (a) **The requirements to obtain a permit modification under 326 IAC 2-8-11.1 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.**
- (b) **Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.**

**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 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]~~

~~Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.~~

~~C.2 Overall Source Limit [326 IAC 2-8] [326 IAC 2-2]~~

~~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. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable;~~

~~(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.~~

~~(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.3 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.4 — 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.5 — 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.6 — 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.7 — 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 attached plan as in Attachment A.~~

~~C.8 — Stack Height [326 IAC 1-7]~~

~~The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.~~

~~C.9 — 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(e). 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 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 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.10 Performance Testing [326 IAC 3-6]~~

- ~~(a) Compliance testing on new emissions units shall be conducted within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up, if specified in Section D of this approval. 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, and 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.11 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.12 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.13 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.14 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.15 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 shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.~~

~~(b) These ERPs shall be submitted for approval 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 ninety (90) days after the date of issuance of this permit.~~

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

~~(c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.~~

~~(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.~~

~~(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.~~

~~(f) 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.16 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.17 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;~~
  - ~~(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.18 — Actions Related to Noncompliance Demonstrated by a Stack Test Federally Enforceable State Operating Permit~~

- ~~(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.19 — 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.20 — 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.21 — 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 C SOURCE OPERATION CONDITIONS**

**Entire Source**

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

**C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]**

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than one hundred (100) pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed five hundred fifty-one thousandths (0.551) pounds per hour.

**C.2 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) Pursuant to 326 IAC 2-2 (PSD), 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.**

**(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.3 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 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.4 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.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]**

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

**C.6 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.7 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 attached plan as in Attachment A.

**C.8 Stack Height [326 IAC 1-7]**

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

**C.9 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 that meets the requirements of 326 IAC 2-8-5(a)(1) 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 Licensed 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 Licensed 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.10 Performance Testing [326 IAC 3-6]**

- (a) **For performance testing required by this permit, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.11 Compliance Requirements [326 IAC 2-1.1-11]**

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

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Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or of initial start-up, whichever is later, to begin such monitoring. If due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance or the date of initial startup, whichever is later, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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.13 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.14 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]**

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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]**

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Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

- (a) The Permittee shall take reasonable response steps to 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 excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
- (1) initial inspection and evaluation;
  - (2) recording that operations returned or are returning 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 normal or usual manner of operation.
- (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 record the reasonable response steps taken.

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

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- (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 submit a description of its response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.

- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) 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]

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- (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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.
- (c) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
  - (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
    - (A) A description of the project.
    - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
    - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
      - (i) Baseline actual emissions;
      - (ii) Projected actual emissions;

- (iii) **Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and**
      - (iv) **An explanation for why the amount was excluded, and any netting calculations, if applicable.**
- (d) **If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:**
  - (1) **Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and**
  - (2) **Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.**

**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 except that 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. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.**
- (b) **The address for report submittal is:**

**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) 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.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and
  - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part 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

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

## Stratospheric Ozone Protection

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

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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 applicable standards for recycling and emissions reduction.

\*\*\*\*\*

## SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

\*\*\*\*\*

### D.1.11 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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A Preventive Maintenance Plan, ~~in accordance with Section B - Preventive Maintenance Plan, of this permit,~~ is required for this facility and any control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

\*\*\*\*\*

### D.1.12 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11][40 CFR 60.93][326 IAC 12]

(a) ~~Not later than five (5) years from October 26, 2004, in order to demonstrate compliance with Conditions D.1.1, D.1.3, D.1.5, and D.1.21 the Permittee shall perform PM testing for the aggregate dryer/mixer, and magnetite drying operation utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with~~ **the provisions of 326 IAC 3-6 (Source Sampling Procedures).** Section C- Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

(b) In order to demonstrate compliance with Conditions D.1.1, D.1.3, D.1.5, and D.1.21, the Permittee shall perform PM2.5 and PM10 testing for the baghouse controlling the aggregate dryer/mixer, and magnetite drying operation, within 180 days of publication of the new or revised condensable PM test method(s) referenced in the U. S. EPA's Final Rule for Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM2.5), signed on May 8th, 2008, or within five (5) years of issuance of FESOP Revision No. 163-27958-00186, whichever is later. This testing shall be conducted utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of ~~this~~ **the most recent** valid compliance demonstration. Testing shall be conducted in accordance with **the provisions of 326 IAC 3-6 (Source Sampling Procedures).** Section C - Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.** PM10 and PM2.5, each, includes filterable and condensable PM.

\*\*\*\*\*

(d) Pursuant to 40 CFR 60.93, compliance with the opacity standards in 40 CFR 60.92 and condition D.1.21 shall be determined by utilizing 40 CFR Part 60 Appendix A, Method 9 to determine opacity. Testing shall be conducted in accordance with **the provisions of 326 IAC 3-6 (Source Sampling Procedures).** Section C- Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

(e) ~~Within~~ **Not later than** one-hundred and eighty (180) days after issuance of this permit, **Permit No F163-23182-00186 (formerly Plant ID# 163-03408),** in order to demonstrate compliance with the opacity standards in 40 CFR 60.672 and condition D.1.23, the Permittee shall perform opacity testing for the RAP crusher utilizing 40 CFR Part 60 Appendix A, Method 9. ~~This test shall be repeated at least once every five (5) years from the date of this~~ **the most recent** valid compliance demonstration. Testing shall be conducted in accordance with **the provisions of 326 IAC 3-6 (Source Sampling Procedures).** Section C- Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

### D.1.15 Visible Emissions Notations

\*\*\*\*\*

(e) If abnormal emissions are observed, the Permittee shall take reasonable response. ~~steps in accordance with Section C- Response to Excursions or Exceedances~~ **contains the**

**Permittee's obligation with regard to the reasonable response steps required by this condition.** Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

#### D.1.16 Parametric Monitoring

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The Permittee shall record the pressure drop across the baghouse used in conjunction with the aggregate dryer and mixer and magnetite drying process, once per day when the process is in operation and venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps. ~~in accordance with Section C - Response to Excursions or Exceedances~~ **contains the Permittee's obligation with regard to the reasonable response steps required by this condition.** 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 determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated **or replaced** at least once every six (6) months.

#### D.1.18 Record Keeping Requirements

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- (a) To document **the compliance status** with the slag limitations in condition D.1.4, the Permittee shall maintain monthly records of the information listed in items (1) through (4) below.  
\*\*\*\*\*
- (b) To document **the compliance status** with condition D.1.6, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with the annual throughput limits to the aggregate dryer and magnetite drying operation established in Condition D.1.6.  
\*\*\*\*\*
- (c) To document **the compliance status** with conditions D.1.9 and D.1.10, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) below shall be complete and sufficient to establish compliance with the SO<sub>2</sub> emission limits established in conditions D.1.9 and D.1.10.  
\*\*\*\*\*
- (e) To document **the compliance status** with Condition D.1.15, the Permittee shall maintain daily records of visible emission notations from the magnetite dryer, aggregate dryer, and burner baghouse stack exhaust and the crushing, conveying, material transfer points, and screening or the reason why visible emission notations were not taken.
- (f) To document **the compliance status** with Condition D.1.16, the Permittee shall maintain daily records of the pressure drop during normal operation or the reason why a pressure drop reading was not taken.
- (g) ~~All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit~~ **contains the Permittee's obligations with regard to the records required by this condition.**

\*\*\*\*\*

#### D.1.19 Reporting Requirements

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A quarterly summary of the information to document **the compliance status** with Conditions D.1.4(a), D.1.6, D.1.9, and D.1.10, shall be submitted ~~to the address 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~~ **not later than** thirty (30) days after the end of the quarter being reported.

**Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reporting required by this condition.** The report submitted by the Permittee does require ~~the a~~ certification **that meet the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

\*\*\*\*\*

**D.2.2 Record Keeping Requirements**

To document **the** compliance **status** with Condition D.2.1(b) and (c), the Permittee shall maintain records in accordance with (a) through (d) below. Records maintained for (a) through (d) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC emission limits established in Condition D.2.1(b) and (c).

\*\*\*

~~All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit~~ **contains the Permittee's obligations with regard to the records required by this condition.**

**D.2.3 Reporting Requirements**

A quarterly summary of the information to document compliance with Condition D.2.1(b) and (c) shall be submitted ~~to the address 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 not later than thirty (30) days after the end of the quarter being reported.** **Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reporting required by this condition.** The report submitted by the Permittee does require ~~the a~~ certification **that meet the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

\*\*\*\*\*

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

FESOP Quarterly Report

Source Name: J.H. Rudolph & Company Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716-5226  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)  
Facility: 650 ton/hr aggregate mixer  
Parameter: Combined Hot-Mix and Warm-Mix Asphalt Production  
Limit: The annual throughput to the aggregate dryer shall be limited to 1,440,000 tons of **hot-mix and warm-mix** asphalt, **combined**, per twelve (12) consecutive month period, with compliance determined at the end of each month.

**QUARTER:** \_\_\_\_\_ **MONTH:** \_\_\_\_\_ **YEAR:** \_\_\_\_\_

\*\*\*\*\*

Note: All FESOP Quarterly Report forms have been updated to include similar "Quarter" and "Month" fields.

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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: J.H. Rudolph & Company Inc.  
Source Address: 3300 S. Green River Road, Evansville, IN 47715  
Mailing Address: P.O. Box 5226, Evansville, IN 47716-5226  
FESOP No.: F163-23182-00186 (formerly plant ID 163-03408)

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements of **this permit**, 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 "No deviations occurred this reporting period".

\*\*\*\*\*

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

\*\*\*\*\*

~~A certification is not required for this report.~~

\*\*\*\*\*

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

FESOP Quarterly Report

\*\*\*\*\*

~~Attach a signed certification to complete this report.~~

\*\*\*\*\*

Note: All forms have been updated as indicated in the two (2) previous examples, where necessary.

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### Conclusion and Recommendation

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on March 10, 2010.

The construction and operation of this proposed revision shall be subject to the conditions of the attached proposed FESOP Administrative Amendment No. 163-29055-00186. The staff recommends to the Commissioner that this FESOP Administrative Amendment be approved.

### IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Ms. Hannah Desrosiers at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 234-5374 or toll free at 1-800-451-6027 extension 4-5374.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) 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)

Appendix A.1: Emissions Calculations  
Unlimited Emission Summary

Company Name: J.H. Rudolph & Company, Inc.  
Source Address: 330 South Green River Road, Evansville, IN 47715  
Operation Permit No.: F163-23182-00186 (formerly plant ID 163-03408)  
Revision No.: F163-29055-00186  
Reviewer: Hannah L. Desrosiers  
Date Submitted: March 10, 2010

Asphalt Plant Maximum Capacity

Maximum Hourly Asphalt Production =	650	ton/hr							
Maximum Annual Asphalt Production =	5,694,000	ton/yr							
Maximum Annual Magnetite Usage =	75,000	ton/yr							
Maximum Annual Steel Slag Usage =	3,701,100	0.00	ton/yr	0.66	0.00	% sulfur			
Maximum Annual Magnetite Drying Throughput =	25	ton/yr							
Maximum Annual RAP Crushing Throughput =	657	ton/yr							
Maximum Dryer Fuel Input Rate =	116.0	MMBtu/hr							
Natural Gas Usage =	1,016	MMCF/yr							
No. 2 Fuel Oil Usage =	7,310,504	gal/yr, and		0.49		% sulfur			
No. 4 Fuel Oil Usage =	7,364,012	gal/yr, and		1.00		% sulfur			
Re-refined Waste Oil Usage =	7,258,286	gal/yr, and		0.70		% sulfur	0.50	% ash	0.100
Biodiesel Usage =	7,258,286	gal/yr, and		0.50		% sulfur			0.003
Unlimited PM Dryer/Mixer Emission Factor =	28.0	lb/ton of asphalt production							
Unlimited PM10 Dryer/Mixer Emission Factor =	6.5	lb/ton of asphalt production							
Unlimited PM2.5 Dryer/Mixer Emission Factor =	1.5	lb/ton of asphalt production							
Unlimited VOC Dryer/Mixer Emission Factor =	0.032	lb/ton of asphalt production							
Unlimited CO Dryer/Mixer Emission Factor =	0.13	lb/ton of asphalt production							
Unlimited Steel Slag SO2 Dryer/Mixer Emission Factor =	0.0014	0.00	lb/ton of slag processed						

Unlimited/Uncontrolled Emissions

Process Description	Unlimited/Uncontrolled Potential to Emit (tons/year)								
	Criteria Pollutants						Hazardous Air Pollutants		
	PM	PM10	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Worst Case HAP
<b>Ducted Emissions</b>									
Dryer Fuel Combustion (worst case)	116.13	92.54	92.54	552.26	173.04	3.63	42.68	25.44	23.95 (hydrogen chloride)
Dryer/Mixer (Process)	79,716.00	18,505.50	4,270.50	165.13	156.59	91.10	370.11	25.04	8.83 (formaldehyde)
Dryer/Mixer Magnetite Processing	738.64	449.94	449.94	NA	NA	NA	NA	NA	NA
Dryer/Mixer Slag Processing	0	0	0	2.59	0.00	0	0	0	0
Hot Oil Heater Fuel Combustion (worst case)	0.02	0.07	0.07	0.01	0.92	0.05	0.77	0.02	0.017 (hexane)
<b>Total* / Worst Case** Process Emissions</b>	<b>80,570.79</b>	<b>19,048.06</b>	<b>4,813.06</b>	<b>719.99</b>	<b>747.40</b>	<b>173.96</b>	<b>91.15</b>	<b>50.50</b>	<b>23.95 (hydrogen chloride)</b>
<b>Fugitive Emissions</b>									
Asphalt Load-Out, Silo Filling, On-Site Yard	3.15	3.15	3.15	0	0	45.82	7.20	1.08	0.24 (formaldehyde)
Material Storage Piles	0.46	0.16	0.16	0	0	0	0	0	0
Material Conveying and Handling	31.47	14.89	14.89	0	0	0	0	0	0
Material Crushing (RAP)	3.55	1.58	1.58	0	0	0	0	0	0
Paved Roads	207.61	40.51	40.51	0	0	0	0	0	0
Cold Mix Asphalt Production	0	0	0	0	0	13,685.53	0	NA	NA
Gasoline Fuel Transfer and Dispensing	0	0	0	0	0	0.02	0	0.01	2.04E-03 (xylenes)
Volatile Organic Liquid Storage Vessels	0	0	0	0	0	negl	0	negl	0
<b>Total Fugitive Emissions</b>	<b>246.25</b>	<b>60.29</b>	<b>60.29</b>	<b>0</b>	<b>0</b>	<b>13,731.37</b>	<b>7.20</b>	<b>1.09</b>	<b>0.24 (formaldehyde)</b>
<b>Totals Unlimited/Uncontrolled PTE</b>	<b>80,817.04</b>	<b>19,108.35</b>	<b>4,873.35</b>	<b>719.99</b>	<b>747.40</b>	<b>173.96</b>	<b>13,822.52</b>	<b>378.08</b>	<b>23.95 (formaldehyde)</b>

NA = not previously accounted for  
negl = negligible

All data, except the new fuel combustion values, were taken from Permit No. F163-23182-03408's, ATSD and ATSD Appendix A: Emission Calculations.

\*Total Emissions (specific to PM/PM10/PM2.5 & SO2) (tons/yr) = Dryer Fuel Combustion + Dryer/Mixer Process Emissions + Dryer/Mixer Slag Processing + Worst Case Emissions from Hot Oil Heater Fuel Combustion

\*\*Worst Case Emissions (specific to Nox, VOC & CO) (tons/yr) = Worst Case Emissions from Dryer Fuel Combustion and Dryer/Mixer + Dryer/Mixer Slag Processing + Worst Case Emissions from Hot Oil Heater Fuel Combustion

Worst Case Fuel Combustion is based on the fuel with the highest emissions for each specific pollutant.

Fuel component percentages provided by the source.

**Appendix A.1: Emissions Calculations  
Dryer/Mixer slag Processing  
Unlimited Emissions**

**Company Name:** J.H. Rudolph & Company, Inc.  
**Source Address:** 330 South Green River Road, Evansville, IN 47715  
**Operation Permit No.:** F163-23182-00186 (formerly plant ID 163-03408)  
**Revision No.:** F163-29055-00186  
**Reviewer:** Hannah L. Desrosiers  
**Date Submitted:** March 10, 2010

The following calculations determine the limited emissions from the processing of slag in the aggregate drying/mixing

**Steel slag:**

Maximum Steel slag Usage = 

3,701,100
-----------

 ton/yr  
 Maximum SO2 Emissions from slag = 

0.0014
--------

 lb/ton of slag processed 

0.66
------

 % sulfur

	Emission Factor (lb/ton)**	Potential to Emit (tons/yr)
Criteria Pollutant	Slag Processing	Slag Processing
SO2	0.0014	2.59

**Note:**

Maximum steel slag usage has been set equal to annual asphalt plant limitation as a worst case scenario.

**Methodology:**

\*\* Testing results for steel slag, obtained June 2009 from similar operations at an E & B Paving, Inc. facility located in Huntington, IN. The testing results showed a steel slag emission factor of 0.0007 lb/ton from slag containing 0.33% sulfur content.

Potential to Emit SO2 from Steel slag (tons/yr) = Maximum Steel slag Usage (ton/yr) \* [Emission Factor (lb/ton)] \* [ton/2000 lbs]

**Abbreviations**

SO2 = Sulfur Dioxide

Appendix A.2: Emissions Calculations  
Limited Emission Summary

Company Name: J.H. Rudolph & Company, Inc.  
Source Address: 330 South Green River Road, Evansville, IN 47715  
Operation Permit No.: F163-23182-00186 (formerly plant ID 163-03408)  
Revision No.: F163-29055-00186  
Reviewer: Hannah L. Desrosiers  
Date Submitted: March 10, 2010

Asphalt Plant Limitations

Maximum Hourly Asphalt Production =	650	ton/hr	99.924%	Aggregate Dryer Control Efficiency			
Annual Asphalt Production Limitation =	1,440,000	ton/yr					
Magnetite Drying Limitation =	75,000	ton/yr	99.924%	Magnetite Dryer Control Efficiency			
Slag Usage Limitation =	100,000	ton/yr	0.66	% sulfur			
Natural Gas Limitation =	1,016.16	MMCF/yr					
No. 2 Fuel Oil Limitation =	2,600,012	gal/yr, and	0.50	% sulfur			
No. 4 Fuel Oil Limitation =	1,331,926	gal/yr, and	1.00	% sulfur			
Used/Waste Oil Limitation =	1,941,584	gal/yr, and	0.70	% sulfur	0.50	0.100	0.003
Biodiesel Limitation =	2,600,012	gal/yr, and	0.50	% sulfur			
PM Dryer/Mixer Limitation =	0.148	lb/ton of asphalt production					
PM10 Dryer/Mixer Limitation =	0.083	lb/ton of asphalt production					
PM2.5 Dryer/Mixer Limitation =	0.083	lb/ton of asphalt production					
VOC Dryer/Mixer Limitation =	0.032	lb/ton of asphalt production					
CO Dryer/Mixer Limitation =	0.130	lb/ton of asphalt production					
Slag SO2 Dryer/Mixer Limitation =	0.0014	lb/ton of slag processed					
Magnetite PM/PM10/PM2.5 Drying Limitation =	0.04	lb/ton of magnetite processed					
Cold Mix Asphalt VOC Usage Limitation =	56.62	tons/yr					

Limited/Controlled Emissions

Process Description	Limited/Controlled Potential Emissions (tons/year)									
	Criteria Pollutants							Hazardous Air Pollutants		
	PM	PM10	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Worst Case HAP	
<b>Ducted Emissions</b>										
Dryer Fuel Combustion (worst case)	2.36E-02	1.88E-02	1.88E-02	99.89	96.54	2.79	42.68	6.41	6.41	(hydrogen chloride)
Dryer/Mixer (Process)	106.73	59.50	59.50	41.76	39.60	23.04	93.60	6.33	2.23	(formaldehyde)
Dryer/Mixer Magnetite Processing	1.50	1.50	1.50	NA	NA	NA	NA	NA	NA	
Dryer/Mixer Slag Processing	0	0	0	0.07	0	0	0	0	0	
Hot Oil Heater Fuel Combustion (worst case)	0.02	0.07	0.07	0.01	0.92	0.05	0.77	negl.	negl.	
<b>Total Process Emissions</b>	<b>108.25</b>	<b>61.07</b>	<b>61.07</b>	<b>99.97</b>	<b>99.90</b>	<b>97.46</b>	<b>23.09</b>	<b>94.37</b>	<b>6.41</b>	<b>6.41</b> (formaldehyde)
<b>Fugitive Emissions</b>										
Asphalt Load-Out, Silo Filling, On-Site Yard	1.92	1.92	1.92	0	0	19.98	4.70	0.42	0.06	(formaldehyde)/(xylene)
Material Storage Piles	0.46	0.16	0.16	0	0	0	0	0	0	
Material Conveying and Handling	31.47	14.89	14.89	0	0	0	0	0	0	
Material Crushing (RAP)	3.55	1.58	1.58	0	0	0	0	0	0	
Paved Roads	103.81	20.25	20.25	0	0	0	0	0	0	
Cold Mix Asphalt Production	0	0	0	0	0	56.62	0	NA	NA	
Gasoline Fuel Transfer and Dispensing	0	0	0	0	0	NA	0	NA	NA	
Volatile Organic Liquid Storage Vessels	0	0	0	0	0	negl.	0	negl.	negl.	
<b>Total Fugitive Emissions</b>	<b>141.21</b>	<b>38.80</b>	<b>38.80</b>	<b>0</b>	<b>0</b>	<b>76.61</b>	<b>4.70</b>	<b>0.42</b>	<b>0.06</b>	<b>(formaldehyde)/(xylene)</b>
<b>Totals Limited/Controlled Emissions</b>	<b>249.46</b>	<b>99.87</b>	<b>99.87</b>	<b>99.97</b>	<b>99.90</b>	<b>97.46</b>	<b>99.70</b>	<b>99.07</b>	<b>6.83</b>	<b>6.41</b> (formaldehyde)

NA = not previously accounted for.

negl = negligible

All data, except the new fuel combustion values, were taken from Permit No. F163-23182-03408's, ATSD and ATSD Appendix A: Emission Calculations. The PM, PM-10, PM2.5 and the HAPs emissions are shown as limited and controlled, and the remaining criteria pollutant emissions are shown as limited.

\*Total Emissions (specific to PM10/PM2.5) (tons/yr) = Dryer Fuel Combustion + Dryer/Mixer Process Emissions + Dryer/Mixer Slag Processing + Worst Case Emissions from Hot Oil Heater Fuel Combustion

\*\*Worst Case Emissions (specific to PM, SO2, NOx, VOC & CO) (tons/yr) = Worst Case Emissions from Dryer Fuel Combustion and Dryer/Mixer + Dryer/Mixer Slag Processing + Worst Case Emissions from Hot Oil Heater Fuel Combustion

Worst Case Fuel Combustion is based on the fuel with the highest emissions for each specific pollutant.

Fuel component percentages provided by the source.

**Appendix A.2: Emissions Calculations  
Dryer/Mixer slag Processing  
Limited Emissions**

**Company Name:** J.H. Rudolph & Company, Inc.  
**Source Address:** 330 South Green River Road, Evansville, IN 47715  
**Operation Permit No.:** F163-23182-00186 (formerly plant ID 163-03408)  
**Revision No.:** F163-29055-00186  
**Reviewer:** Hannah L. Desrosiers  
**Date Submitted:** March 10, 2010

The following calculations determine the limited emissions from the processing of slag in the aggregate drying/mixing

**Steel slag:**

Maximum Steel slag Usage = 100,000 ton/yr  
 Maximum SO<sub>2</sub> Emissions from slag = 0.0014 lb/ton of slag processed 0.66 % sulfur

	Emission Factor (lb/ton)**	Potential to Emit (tons/yr)
<b>Criteria Pollutant</b>	<b>Slag Processing</b>	<b>Slag Processing</b>
SO <sub>2</sub>	0.0014	0.07

**Note:**

Maximum steel slag usage has been set equal to annual asphalt plant limitation as a worst case scenario.

**Methodology:**

\*\* Testing results for steel slag, obtained June 2009 from similar operations at an E & B Paving, Inc. facility located in Huntington, IN. The testing results showed a steel slag emission factor of 0.0007 lb/ton from slag containing 0.33% sulfur content.

Potential to Emit SO<sub>2</sub> from Steel slag (tons/yr) = Maximum Steel slag Usage (ton/yr) \* [Emission Factor (lb/ton)] \* [ton/2000 lbs]

**Abbreviations**

SO<sub>2</sub> = Sulfur Dioxide



# 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)

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

TO: Brian Peters  
J H Rudolph & Company  
534 Mozart St  
Tell City, IN 47586

DATE: May 7, 2010

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

SUBJECT: Final Decision  
FESOP  
163-29055-00186

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:  
Alvin Evans, Responsible Official  
Christopher Zirkelbach, Consultant  
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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Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

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2		Alvin Evans COO J H Rudolph & Company, Inc PO Box 5226 Evansville IN 47716-5226 (RO CAATS)									
3		Evansville City Council and Mayors Office 1NW MLK Blvd, Rm 302 Evansville IN 47708 (Local Official)									
4		Vanderburgh County Commissioners 1 NW MLK Blvd, Rm 305 Evansville IN 47708 (Local Official)									
5		Mr. Charles L. Berger Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party)									
6		Mr. Randy Brown Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 (Affected Party)									
7		Mr. Don Mottley Save Our Rivers 6222 Yankeetown Hwy Boonville IN 47601 (Affected Party)									
8		Vanderburgh County Health Dept. 420 Milberry Street Evansville IN 47713-1888 (Health Department)									
9		Kim Sherman 3355 Woodview Drive Newburgh IN 47630 (Affected Party)									
10		Mr. John Blair 800 Adams Ave Evansville IN 47713 (Affected Party)									
11		Evansville EPA 100 E. Walnut St. Suite 100, Newsome Center Evansville IN 47713 (Local Official)									
12		Christopher Zirkelbach Environmental & Safety Solutions 201 NW Fourth Street, Suite 105 Evansville IN 47708 (Consultant)									
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