



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: Feb. 28, 2011

RE: Brooks Construction / 053-30246-05360

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

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

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

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

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

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

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

Enclosures
FNPER-AM.dot12/3/07



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Mr. John Brooks
Brooks Construction, Inc.
6525 Ardmore Avenue
Ft Wayne, IN 46899

Feb. 28, 2011

Re: 053-30246-05360
Portable Source Relocation Letter for
F 141-25742-05360 (Formerly 141-00549)

Dear Mr. Brooks:

Approval is hereby granted to operate the portable drum hot mix asphalt plant, described in Federally Enforceable State Operating Permit (FESOP) Renewal No. F141-25742-05360 issued on August 20, 2008, when the source was located at 727 S Beiger Street, Mishawaka, Indiana 46544, in St. Joseph County. This source is to be located at 7600 E N00S, Marion, Indiana 46952, in Grant County.

Relocation of this plant must take place within 120 days after the issuance of this decision. This approval supersedes all previous site approval letters.

Advance written notice to the Office of Air Quality (OAQ), Compliance and Enforcement Branch, of start-up is required in order for the OAQ to perform an inspection. The notification 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

If the plant is not operating in compliance with all applicable regulations upon inspection, the plant must cease operation upon notification to you by OAQ staff of such non-compliance. Operations may only resume once remedial actions have been taken and approved by the OAQ.

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

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions concerning this relocation site approval, please contact Ms. Renee Traivaranon, of my staff, at 317-234-5615 or 1-800-451-6027, and ask for extension 4-5615.

Sincerely,

Iryn Galilung, Section Chief
Permits Branch
Office of Air Quality

IC/rt

Enclosures

cc: File Grant County
Grant County Health Department
St. Joseph County Health Department
Compliance and Enforcement Branch
Billing, Licensing and Training Section





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**Federally Enforceable State Operating Permit Renewal
OFFICE OF AIR QUALITY**

**Brooks Construction, Inc.
(Portable)**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

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

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

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

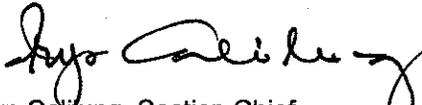
Operation Permit No.: F141-25742-05360 (Formerly 141- 00549)	
Issued by/Original Signed By: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: August 20, 2008 Expiration Date: August 20, 2018
First Administrative Amended No. 141-29190-05360 (formerly 141-00549), issued on May 25, 2010 Second Administrative Amended No. 141-30003-05360, issued on January 25, 2011	
First Portable Source Relocation No. 053-30246-05360	
Issued by:  Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: Feb. 28, 2011 Expiration Date: August 20, 2018

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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 portable drum hot mix asphalt plant.

Source Address:	Portable
General Source Phone Number:	(574) 288 - 4811
SIC Code:	2951
County Location:	St. Joseph
Source Location Status:	Attainment for all 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 portable source consists of the following emission units and pollution control devices:

- (a) One (1) drum dryer/mixer, constructed after June 11, 1973, identified as Emissions Unit No. 2, with a maximum capacity of three hundred (300) tons per hour, equipped with one (1) ninety-two and one half (92.5) million British thermal units per hour (mmBtu/hr) natural gas-fired burner, using No. 2 distillate fuel oil, and refinery blend fuel oil, and waste oil as back-up fuels, controlled by one (1) baghouse with a knockout box, exhausting to Stack SV1.

Under 40 CFR 60.90, Subpart I - New Source Performance Standards for Hot Mix Asphalt Facilities, this is considered an affected hot-mix asphalt facility.

- (b) Three (3) liquid asphalt storage tanks, identified as 11A, 11B and 11C, heated by a one and one half (1.5) million British thermal units per hour oil heater, capacity: twenty thousand (20,000) gallons, each, uncontrolled and exhausting to the atmosphere.
- (c) Material Handling and conveying operations, constructed in 2003, consisting of the following:
- (1) Material storage piles, consisting of limestone, sand, gravel, slag, and reclaimed asphalt pavement (RAP), with a combined maximum storage capacity of forty thousand (40,000) tons;
 - (2) One (1) Cold Feed system consisting of four (4) compartments, each holding one hundred (100) tons, for a total aggregate holding capacity of four hundred (400) tons;
 - (3) Two (2) feeder conveyors;
 - (4) Two (2) screens;
 - (5) One (1) Recycled Asphalt Pavement (RAP) system, consisting of one (1) twenty-five (25) ton RAP feed bin, one (1) shaker, and one (1) conveyor;

- (6) Two (2) drag slat conveyors; and
- (7) Two (2) Hot Mix Asphalt storage silos: two hundred (200) tons capacity, each, uncontrolled and exhausting to stacks SV3 and SV4.

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

This portable source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Two (2) oil storage tanks, identified as TA33 for waste oil and TA34 for off-road diesel, constructed in 2003, with a capacity of twenty thousand (20,000) gallons each, uncontrolled and exhausting to the atmosphere; and
- (b) Paved and unpaved roads and parking lots with public access [326 IAC 6-5].

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

This portable 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, F 141-25742-05360 (formerly 141-00549), 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 states that, 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, or Northern Regional Office 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
Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

- (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]

- (a) All terms and conditions of permits established prior to F 141-25742-05360 (formerly 141-00549) and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

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

B.15 Reserved

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require 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.17 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require 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
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- (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.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

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

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

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

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

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

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

77 West Jackson Boulevard
Chicago, Illinois 60604-3590

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.20 Source Modification Requirement [326 IAC 2-8-11.1]

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

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

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

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

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

B.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

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.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ 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.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]

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 one hundred (100) 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:

For Clark County, Dearborn County, Dubois County, Marion County, St. Joseph County, Vanderburgh County, or Vigo County

- (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.

For all other counties, except Lake County:

- (a) Opacity shall not exceed an average of forty percent (40%) 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 by using ambient air quality modeling pursuant to 326 IAC 1-7-4.

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]

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, 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 Reserved

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 prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on.
- (b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.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]

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.18 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.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, 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.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 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) Reserved
- (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.

Portable Source Requirement

C.21 Relocation of Portable Sources [326 IAC 2-14-4]

- (a) This permit is approved for operation in all areas in Indiana, except Lake and Porter Counties (due to additional requirements for these counties). This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2, and Emission Offset requirements in 326 IAC 2-3. Prior to locating in a severe nonattainment area, the Permittee must submit a request and obtain a permit revision.
- (b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:
 - (1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1
 - (2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8
 - (3) The new location address of the portable source.
 - (4) Whether or not this portable source will be relocated to another source.
 - (5) If relocating to another source:
 - (A) Name, location address, and permit number of the source this portable source is relocating to.
 - (B) Whether or not the sources will be considered as one source. See Non Rule Policy (NRP) Air-005 and Air-006.
 - (6) If the sources will be considered as one source, whether or not the source to be relocated to has received the necessary approvals from IDEM to allow the relocation.

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).

- (c) A "Relocation Site Approval" letter shall be obtained prior to relocating.
- (d) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

Stratospheric Ozone Protection

C.22 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 applicable standards for recycling and emissions reduction.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description: Drum Hot Mix Asphalt Plant

- (a) One (1) drum dryer/mixer, constructed after June 11, 1973, identified as Emissions Unit No. 2, with a maximum capacity of three hundred (300) tons per hour, equipped with one (1) ninety-two and one half (92.5) million British thermal units per hour (mmBtu/hr) natural gas-fired burner, using No. 2 distillate fuel oil, and refinery blend fuel oil, and waste oil as back-up fuels, controlled by one (1) baghouse with a knockout box, exhausting to Stack SV1.

Under 40 CFR 60.90, Subpart I - New Source Performance Standards for Hot Mix Asphalt Facilities, this is considered an affected hot-mix asphalt facility.

- (b) Three (3) liquid asphalt storage tanks, identified as 11A, 11B and 11C, heated by a one and one half (1.5) million British thermal units per hour oil heater, capacity: twenty thousand (20,000) gallons, each, uncontrolled and exhausting to the atmosphere.

- (c) Material Handling and conveying operations, constructed in 2003, consisting of the following:

- (1) Material storage piles, consisting of limestone, sand, gravel, slag, and reclaimed asphalt pavement (RAP), with a combined maximum storage capacity of forty thousand (40,000) tons;
- (2) One (1) Cold Feed system consisting of four (4) compartments, each holding one hundred (100) tons, for a total aggregate holding capacity of four hundred (400) tons;
- (3) Two (2) feeder conveyors;
- (4) Two (2) screens;
- (5) One (1) Recycled Asphalt Pavement (RAP) system, consisting of one (1) twenty-five (25) ton RAP feed bin, one (1) shaker, and one (1) conveyor;
- (6) Two (2) drag slat conveyors; and
- (7) Two (2) Hot Mix Asphalt storage silos: two hundred (200) tons capacity, each, uncontrolled and exhausting to stacks SV3 and SV4.

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

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

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

- (a) Pursuant to 326 IAC 2-8-4, the amount of asphalt processed shall not exceed 1,500,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) PM emissions from the dryer/mixer shall not exceed fifteen hundredths (0.15) pounds per ton of asphalt processed.

Compliance with these limitations, combined with the limits and emissions from other emission units at this source will render 326 IAC 2-7, Part 70, and 326 IAC 2-2, PSD, not applicable.

D.1.2 Particulate Matter (PM) [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2(a), particulate matter (PM) emissions from the dryer/mixer shall be limited to three hundredths (0.03) grain per dry standard cubic foot of exhaust air, when the source is located in Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo, or Wayne Counties.

D.1.3 Particulate (PM10), and Carbon Monoxide (CO) [326 IAC 2-8-4] [326 IAC 2-2]

- (a) Pursuant to 326 IAC 2-8-4, the amount of asphalt processed shall not exceed 1,500,000 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) PM10 emissions from the dryer/mixer shall not exceed five hundredths (0.05) pounds per ton of asphalt processed.
- (c) CO emissions from the dryer/mixer shall not exceed thirteen hundredths (0.13) pounds per ton of asphalt processed.

Compliance with these limitations, combined with the limits and emissions from other emission units at this source, will satisfy 326 IAC 2-8-4 (FESOP), and will render 326 IAC 2-7, Part 70, and 326 IAC 2-2, PSD, not applicable.

D.1.4 Fuel Limitations [326 IAC 2-8-4][326 IAC 2-2][326 IAC 2-4.1]

The fuel combusted in the dryer/mixer burner and all other combustion equipment shall be limited as follows:

- (a) No. 2 fuel oil shall have a sulfur content less than or equal to five tenths percent (0.5%) by weight,
- (b) Refinery Blend and Waste oils each shall have a sulfur content less than or equal to one percent (1.0%) by weight and a chlorine content less than or equal to four tenths percent (0.4%) by weight,
- (c) The HCl emissions from the dryer/mixer shall not exceed twenty-six and four tenths (26.4) pounds of HCl per 1,000 gallons of waste oil burned, and
- (d) Single Fuel Usage Limitations:

When combusting only one type of fuel per twelve (12) consecutive month period in the dryer/mixer burner and all other combustion equipment, the usage of fuel shall be limited as follows:

- (1) No. 2 fuel oil usage shall not exceed 2,530,000 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month,
- (2) Refinery blend fuel oil usage shall not exceed 1,320,000 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month,
- (3) Waste oil usage shall not exceed 750,000 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month,

- (e) Multiple Fuel Usage Limitation:

When combusting more than one fuel per twelve (12) consecutive month period in the dryer/mixer burner and all other combustion equipment, emissions from the dryer/mixer and all other combustion equipment shall be limited as follows:

- (1) Nitrogen oxides (NOx) emissions from the dryer/mixer and all other combustion equipment shall be less than one hundred (100) tons per twelve (12) consecutive month period, with compliance determined at the end of each month, and

- (2) Sulfur dioxide (SO₂) emissions from the dryer/mixer and all other combustion equipment shall be less than one hundred (100) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance with these limits, combined with the potential emissions from all other emission units at this source, shall limit the source-wide total potential to emit NO_x and SO₂ to less than one hundred (100) tons per twelve (12) consecutive month period, each, HCl to less than ten (10) tons per twelve (12) consecutive month period, and any combination of HAPs to less than twenty-five (25) tons per twelve (12) consecutive month period, and shall render 326 IAC 2-7 (Part 70 Permits), 326 IAC 2-2 (PSD), and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP)) not applicable.

D.1.5 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1][326 IAC 7-2-1]

- (a) Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide (SO₂) emissions from the dryer/mixer burner shall not exceed five tenths (0.5) pounds per million Btu heat input when using distillate oil (No. 2 fuel oil) and one and six tenths (1.6) pounds per million British thermal units heat input when using residual oil (including refinery blend fuel oil and waste oil).
- (b) Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.

D.1.6 Volatile Organic Compounds (VOC) [326 IAC 8-1-6]

In order to render the requirements of 326 IAC 8-1-6 not applicable, the dryer/mixer shall be limited as follows:

- (a) The asphalt production rate shall be limited to less than 1,500,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.
- (b) VOC emissions from the dryer/mixer shall be limited to less than thirty-two thousandths (0.032) pound of VOC per ton of asphalt produced.

Compliance with these limits shall limit the VOC emissions from the dryer/mixer 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.

D.1.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and their 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.1.8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

The Permittee shall perform PM and PM₁₀ stack testing for the dryer/mixer utilizing methods as approved by the Commissioner to demonstrate compliance with Conditions D.1.1(b), D.1.2 and D.1.3(b) at least once every five (5) years from the date of the most recent valid compliance demonstration. PM₁₀ includes filterable and condensable particulate matter. 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.1.9 Particulate Control

- (a) In order to comply with Conditions D.1.1(b), D.1.2 and D.1.3(b), the baghouse with knockout box for the dryer/mixer shall be in operation and control emissions from the dryer/mixer at all times when the dryer/mixer is 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.

D.1.10 Multiple Fuel Usage Limitation

- (a) In order to comply with Condition D.1.4(e) when combusting more than one fuel per twelve (12) consecutive month period in the dryer/mixer burner and all other combustion equipment, the Permittee shall limit fuel usage in the dryer/mixer burner and all other combustion equipment according to the following formulas:

- (1) Nitrogen oxide emission calculation

$$N = \frac{O(E_O) + R(E_R) + U(E_U)}{2,000 \text{ lbs/ton}}$$

where:

N = tons of nitrogen oxide emissions for a twelve (12) month consecutive period

O = gallons of No. 2 fuel oil used in last twelve (12) months

R = gallons of refinery blend fuel oil used in last twelve (12) months

U = gallons waste oil used in the last twelve (12) months

Emission Factors for Nitrogen Oxide

E_O = twenty-four (24) pounds/ one thousand (1000) gallons of No. 2 fuel oil

E_R = forty-seven (47) pounds/ one thousand (1000) gallons of refinery blend fuel oil

E_U = nineteen (19) pounds/ one thousand (1000) gallons of waste oil

- (2) Sulfur dioxide emission calculation

$$S = \frac{O(E_O) + R(E_R) + U(E_U)}{2,000 \text{ lbs/ton}}$$

where:

S = tons of sulfur dioxide emissions for twelve (12)-month consecutive period

O = gallons of No. 2 fuel oil used in last twelve (12) months with less than or equal to five tenths percent (0.5%) sulfur content

R = gallons of refinery blend fuel oil used in last twelve (12) months with less than or equal to one percent (1.0%) sulfur content

U = gallons of waste oil used in the last twelve (12) months less than or equal to one percent (1.0%) sulfur content

Emission Factors for Sulfur dioxide

E_O = seventy-eight and five tenths (78.5) pounds/ one thousand (1000) gallons of No. 2 fuel oil

E_R = seventy-eight and five tenths (78.5) pounds/ one thousand (1000) gallons of refinery blend fuel oil

E_U = one hundred forty-seven (147) pounds/ one thousand (1000) gallons of waste oil

D.1.11 Sulfur Dioxide (SO₂) Emissions and Sulfur Content

Compliance with the sulfur dioxide emissions and sulfur content limitations in Conditions D.1.4(a), D.1.4(b), and D.1.5 shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate compliance with sulfur dioxide emissions and sulfur content limitations by:
 - (1) Providing vendor analysis of heat content and sulfur content of fuel delivered, if accompanied by a vendor certification; or
 - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the dryer/mixer, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

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.1.12 Hydrogen Chloride (HCl) Emissions and Chlorine Content

In order to comply with Conditions D.1.4(b) and D.1.4(c), the Permittee shall demonstrate that the chlorine content of the fuel used for the dryer/mixer burner all other fuel combustion equipment does not exceed 0.40 percent by weight, when combusting waste oil, by providing a vendor analysis of fuel delivered accompanied by a vendor certification.

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

D.1.13 Visible Emissions Notations

- (a) Visible emission notations of the conveyors, screens, material transfer points, and dryer/mixer stack (SV1) exhaust shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps. 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.1.14 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The Permittee shall record the pressure drop across the baghouse used in conjunction with the dryer/mixer at least once per day when the dryer/mixer is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of two (2.0) and ten (10.0) 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.
- (b) The instruments used for determining the pressure and temperature 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.1.15 Broken or Failed Bag Detection

- (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 emissions 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, or dust traces.

D.1.16 Broken or Failed Knockout Box Detection

In the event that knockout box failure has been observed, the failed unit(s) and the associated process will be shut down immediately until the failed unit(s) 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 emissions 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).

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

D.1.17 Record Keeping Requirements

- (a) To document the compliance status with Conditions D.1.1, D.1.3 and D.1.6, the Permittee shall keep records of the amount of asphalt processed through the dryer/mixer. Records necessary to demonstrate compliance shall be available within thirty (30) days of the end of each compliance period.
- (b) To document the compliance status with Conditions D.1.4 and D.1.5, the Permittee shall maintain records in accordance with (1) through (7) below.
 - (1) Calendar dates covered in the compliance determination period;
 - (2) Actual fuel usage, sulfur content, heat content and equivalent sulfur dioxide emission rates for each fuel used at the source per month;

- (3) Actual waste oil usage, chlorine content, and equivalent hydrogen chloride (HCl) emission rate per month;
- (4) 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:

- (5) Fuel supplier certifications;
- (6) The name of the fuel supplier; and
- (7) A statement from the fuel supplier that certifies the sulfur content of the distillate (No. 2) and residual (refinery blend) fuel oil and waste oil and the chlorine content of waste oil.

The Permittee shall maintain records of all recording/monitoring data and support information. Section C - General Record Keeping Requirements, contains the Permittee's obligations with regard to the records required by this condition. 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.

- (c) To document the compliance status with Conditions D.1.4(e) and D.1.10 when combusting more than one fuel per twelve (12) consecutive month period in the dryer/mixer burner and all other combustion equipment, the Permittee shall maintain records of actual fuel usage and equivalent nitrogen oxides and sulfur dioxide emission rates for each fuel used at the source per month.
- (d) To document the compliance status with Condition D.1.13, the Permittee shall maintain daily records of the visible emission notations from each of the conveyors, screens, material transfer points, and dryer/mixer stack (SV1) exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the plant did not operate that day).
- (e) To document the compliance status with Condition D.1.14, the Permittee shall maintain the following:
 - (1) Daily records of the pressure drop across the baghouse controlling the dryer/mixer. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading, (e.g., the dryer/mixer did not operate that day).
- (f) Section C - General Record Keeping Requirements, contains the Permittee's obligations with regard to the records required by this condition.

D.1.18 Reporting Requirements

A quarterly summary of the information to document compliance status with Conditions D.1.1, D.1.3(a), D.1.3(b), D.1.3(c), D.1.4(b), D.1.4(c), D.1.6 and D.1.10 shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description: Insignificant Activities

- (b) Paved and unpaved roads and parking lots with public access [326 IAC 6-5].

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

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

D.2.1 PM and PM10 Emissions [326 IAC 2-8-4] [326 IAC 6-5]

Pursuant to 326 IAC 2-8 and 326 IAC 6-5, the Permittee shall control PM and PM10 emissions from paved and unpaved roads according to the fugitive dust plan submitted on June 16, 2003, which is included in Section C - Fugitive Particulate Matter Emission Limitations, of this permit.

SECTION E.1 FACILITY OPERATION CONDITIONS

Emissions Unit Description: Hot-Mix Asphalt Plant

- (a) One (1) drum dryer/mixer, constructed after June 11, 1973, identified as Emissions Unit No. 2, with a maximum capacity of three hundred (300) tons per hour, equipped with one (1) ninety-two and one half (92.5) million British thermal units per hour (mmBtu/hr) natural gas-fired burner, using No. 2 distillate fuel oil, and refinery blend fuel oil, and waste oil as back-up fuels, controlled by one (1) baghouse with a knockout box, exhausting to Stack SV1.

Under 40 CFR 60.90, Subpart I - New Source Performance Standards for Hot Mix Asphalt Facilities, this is considered an affected hot-mix asphalt facility.

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

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

E.1.1 NSPS Subpart I Requirements - Standards of Performance for Hot Mix Asphalt Facilities [40 CFR Part 60, Subpart I] [326 IAC 12-1]

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 12-1 for the asphalt plant as specified as follows. Pursuant to 40 CFR 60.90(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.

§ 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.

[42 FR 37936, July 25, 1977, as amended at 51 FR 12325, Apr. 10, 1986]

§ 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 and mixing with asphalt cements.

[51 FR 12325, Apr. 10, 1986]

§ 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 (four hundredths (0.04) gr/dscf).
- (2) Exhibit 20 percent opacity, or greater.

[39 FR 9314, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975]

§ 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.

[54 FR 6667, Feb. 14, 1989]

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: Brooks Construction, Inc.
Source Address: Portable
FESOP Permit No.: F141-25742-05360

**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: Brooks Construction, Inc.
Source Address: Portable
FESOP Permit No.: F141-25742-05360 (formerly 141-00549)

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none">• 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 and Enforcement Branch); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16. |
|---|

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

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

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

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

Source Name: Brooks Construction, Inc.
Source Address: Portable
FESOP No.: F141-25742-05360 (formerly 141-00549)
Facility: One (1) dryer/mixer
Parameter: Asphalt processed
Limit: 1,500,000 tons per twelve (12) consecutive month period,
with compliance determined at the end of each month.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	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
 Single Fuel Quarterly Report**

Source Name: Brooks Construction, Inc.
 Source Address: Portable
 FESOP No.: F141-25742-05360 (formerly 141-00549)
 Facilities: Dryer/mixer burner and all other combustion equipment
 Parameter: Fuel Usage
 Limit: In order to limit the source-wide total potential to emit NO_x and SO₂ to less than one hundred (100) tons per twelve (12) consecutive month period, each, each, HCl to less than ten (10) tons per twelve (12) consecutive month period, and any combination of HAPs to less than twenty-five (25) tons per twelve (12) consecutive month period, the usage of fuel combusted in the dryer/mixer burner and all other combustion equipment shall be limited as follows:

Fuel Type (units)	Fuel Usage Limit (per 12 consecutive month period)
No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)	2,530,000
Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)	1,320,000
Waste Oil ≤ 1.0 wt% sulfur (gallons)	750,000

QUARTER: _____ YEAR: _____

The following fuel was the only fuel combusted over the previous twelve (12) month period: _____
 (combustion of more than one fuel requires the use of the "Multiple Fuel Quarterly Report" form)

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- No deviation occurred in this reporting period.
- Deviation/s occurred in this reporting period. Deviation has been reported on: _____

Submitted by: _____ Date: _____

Title / Position: _____ Phone: _____

Signature: _____

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
Multiple Fuel Quarterly Report

Page 1 of 2

Source Name: Brooks Construction, Inc.
Source Address: Portable
FESOP No.: F141-25742-05360 (formerly 141-00549)
Facilities: Dryer/mixer burner and all other combustion equipment
Parameters: Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Emissions

Limit: Nitrogen oxides (NO_x) emissions shall be less than one hundred (100) tons per twelve (12) consecutive month period based on the following equation:

$$N = \frac{O(E_O) + R(E_R) + U(E_U)}{2,000 \text{ lbs/ton}}$$

where:

N = tons of nitrogen oxide emissions for a twelve (12) month consecutive period

O = gallons of No. 2 fuel oil used in last twelve (12) months

R = gallons of refinery blend fuel oil used in last twelve (12) months

U = gallons waste oil used in the last twelve (12) months

Emission Factors for Nitrogen Oxide

E_O = twenty-four (24) pounds/ one thousand (1000) gallons of No. 2 fuel oil

E_R = forty-seven (47) pounds/ one thousand (1000) gallons of refinery blend fuel oil

E_U = nineteen (19) pounds/ one thousand (1000) gallons of waste oil

Limit: Sulfur dioxide (SO₂) emissions shall be less than one hundred (100) tons per twelve (12) consecutive month period based on the following equation:

$$S = \frac{O(E_O) + R(E_R) + U(E_U)}{2,000 \text{ lbs/ton}}$$

where:

S = tons of sulfur dioxide emissions for twelve (12)-month consecutive period

O = gallons of No. 2 fuel oil used in last twelve (12) months with less than or equal to five tenths percent (0.5%) sulfur content

R = gallons of refinery blend fuel oil used in last twelve (12) months with less than or equal to one percent (1.0%) sulfur content

U = gallons of waste oil used in the last twelve (12) months less than or equal to one percent (1.0%) sulfur content

Emission Factors for Sulfur dioxide

E_O = seventy-eight and five tenths (78.5) pounds/ one thousand (1000) gallons of No. 2 fuel oil

E_R = seventy-eight and five tenths (78.5) pounds/ one thousand (1000) gallons of refinery blend fuel oil

E_U = one hundred forty-seven (147) pounds/ one thousand (1000) gallons of waste oil

Multiple Fuel Quarterly Report

QUARTER: _____ YEAR: _____

Month	Fuel Types (units)	Column 1	Column 2		Column 1 + Column 2	Equation Results
		Usage This Month	Usage Previous 11 Months		Usage 12 Month Total	Emissions (tons per 12 months)
Month 1	No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)			O		Nitrogen Oxides
	Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)			R		
	Waste Oil ≤ 1.0 wt% sulfur (gallons)			U		
	No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)			O		Sulfur Dioxide
	Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)			R		
	Waste Oil ≤ 1.0 wt% sulfur (gallons)			U		
Month 2	No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)			O		Nitrogen Oxides
	Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)			R		
	Waste Oil ≤ 1.0 wt% sulfur (gallons)			U		
	No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)			O		Sulfur Dioxide
	Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)			R		
	Waste Oil ≤ 1.0 wt% sulfur (gallons)			U		
Month 3	No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)			O		Nitrogen Oxides
	Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)			R		
	Waste Oil ≤ 1.0 wt% sulfur (gallons)			U		
	No. 2 Fuel Oil ≤ 0.5 wt% sulfur (gallons)			O		Sulfur Dioxide
	Refinery Blend Fuel Oil ≤ 1.0 wt% sulfur (gallons)			R		
	Waste Oil ≤ 1.0 wt% sulfur (gallons)			U		

- No deviation occurred in this reporting period.
- Deviation/s occurred in this reporting period.
 Deviation has been reported on: _____

Submitted by: _____ Date: _____
 Title / Position: _____ Phone: _____
 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: Brooks Construction, Inc.
Source Address: Portable
FESOP Permit No.: F141-25742-05360 (formerly 141-00549)

Months: _____ to _____ Year: _____

Page 1 of 2

<p>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".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) OFFICE OF AIR QUALITY

ATTACHMENT A

ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN

BROOKS CONSTRUCTION, INC. PORTABLE

- (a) Fugitive particulate matter (dust) emissions from paved roads, unpaved roads, and parking lots shall be controlled by one or more of the following measures:
- (1) Paved roads and parking lots:
 - (A) Cleaning by vacuum sweeping on an as-needed basis (monthly at a minimum).
 - (B) Power brooming while wet either from rain or application of water.
 - (2) Unpaved roads and parking lots:
 - (A) Paving with asphalt.
 - (B) Treating with emulsified asphalt on an as-needed basis.
 - (C) Treating with water on an as-needed basis.
 - (D) Double chipping and sealing the road surface and maintaining on an as-needed basis.
- (b) Fugitive particulate matter (dust) emissions from aggregate stockpiles shall be controlled by one or more of the following measures.
- (1) Maintaining minimum size and number of stock piles of aggregate.
 - (2) Treating around the stockpile area with emulsified asphalt on an as-needed basis.
 - (3) Treating around the stockpile area with water on an as-needed basis.
 - (4) Treating the stockpiles with water on an as-needed basis.
- (c) Fugitive particulate matter (dust) emissions from outdoor conveying of aggregates shall be controlled by the following measure:
- Apply water at the feed and the intermediate point on an as-needed basis.
- (d) Fugitive particulate matter (dust) emissions resulting from the transferring of aggregates shall be controlled by one or more of the following measures:
- (1) Minimizing the vehicular distance between the transfer points.
 - (2) Enclosing the transfer points.
 - (3) Applying water on transfer points on an as-needed basis.

- (e) Fugitive particulate matter (dust) emissions resulting from transportation of aggregate by truck, front end loader, etc., shall be controlled by one or more of the following measures:
 - (1) Tarping the aggregate hauling vehicles.
 - (2) Maintaining vehicle bodies in a condition to prevent leakage.
 - (3) Spraying the aggregates with water.
 - (5) Maintaining a ten (10) mile per hour speed limit in the yard.

- (f) Fugitive particulate matter (dust) emissions resulting from the loading and unloading shall be controlled by one or more of the following measures:
 - (1) Reducing free fall distance to a minimum.
 - (2) Reducing the rate of discharge of the aggregate.
 - (3) Spraying the aggregate with water on an as-needed basis.

An "as-needed basis" means the frequency or quantity of application necessary to minimize visible particulate matter emissions.



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

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

TO: John Brooks
Executive VP
Brooks Construction
6525 Ardmore Ave.
Ft. Wayne IN 46899

DATE: Feb. 28, 2011

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

SUBJECT: Final Decision
Relocation
053-30246-05360

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:
Lauren Pecina Bruce Carter Assoc.
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	BMILLER 2/28/2011 Brooks Construction 053-30246-05360 (final)		Type of Mail: CERTIFICATE OF MAILING ONLY	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		John Brooks Brooks Construction 6525 Ardmore Ave Fort Wayne IN 46899 (Source CAATS) <i>Via Confirm Delivery</i>										
2		Marion City Council and Mayors Office 301 S. Branson Street Marion IN 46952-4052 (Local Official)										
3		Grant County Commissioners 401 South Adams Marion IN 46953 (Local Official)										
4		Ms. Mary Shipley 10968 E 100 S Marion IN 46953 (Affected Party)										
5		Grant County Health Department 401 S. Adams St, Courthouse Complex Marion IN 46953-2031 (Health Department)										
6		Mr. Thomas Lee Clevenger 4005 South Franks Lane Selma IN 47383 (Affected Party)										
7		Lauren Pecina Bruce Carter Associates 616 S 4th Street Elkhart IN 46516 (Consultant)										
8		Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)										
9												
10												
11												
12												
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14												
15												

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