



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant

DATE: October 11, 2011

RE: Speedway, LLC/089-30935-00473

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

## Notice of Decision: Revocation

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

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

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

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

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

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

Enclosures  
FNPER-REV.dot 1/2/08



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Mr. J. Mitchell Oliver  
Speedway LLC  
500 Speedway Drive  
Enon, OH 45323

October 11, 2011

Re: 089-30935-00473  
Revocation of Registration No. 089-16200-00473

Dear Mr. Oliver:

Speedway Station #8338 was issued Registration No. 089-20000-00473 on April 9, 2003, for a stationary soil and groundwater remediation system at a gasoline service station, located at 9651 Kennedy Avenue, Highland, Indiana, 46322. On June 9, 2011, the Office of Air Quality (OAQ) received a letter from Speedway LLC requesting that the Registration be revoked, since the source has ceased operation.

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

The Registration No. 089-16200-00473 issued on April 9, 2003, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective eighteen (18) days from the date of this letter.

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

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

If there are any questions about this revocation, please contact Susann Brown, at 317-234-5176 or at 1-800-451-6027 (ext 45176).

Sincerely,

Alfred C. Dumaul, Ph. D., Section Chief  
Permits Branch  
Office of Air Quality

ACD/sb

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



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

TO: J Mitchell Oliver  
Speedway Station #8338  
500 Speedway Dr  
Enon, OH 45323

DATE: October 11, 2011

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

SUBJECT: Final Decision  
Revocation of Registration  
089-30935-00473

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

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

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

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

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

|                            |   |   |   |  |
|----------------------------|---|---|---|--|
| IDEM Staff                 | PWAY 10/11/2011<br>Speedway Station #8338 089-30935-00473 (final)                 |   | Type of Mail:<br><br><b>CERTIFICATE OF MAILING ONLY</b> | AFFIX STAMP<br>HERE IF<br>USED AS<br>CERTIFICATE<br>OF MAILING |
| Name and address of Sender |  | Indiana Department of Environmental Management<br>Office of Air Quality – Permits Branch<br>100 N. Senate<br>Indianapolis, IN 46204 |   |  |

| 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    |                | J Mitchell Oliver Speedway Station #8338 500 Speedway Dr Enon OH 45323 (Source CAATS)   |         |                 |                            |               |                 |          |          |          |                |
| 2    |                | East Chicago City Council 4525 Indianapolis Blvd East Chicago IN 46312 (Local Official)   |         |                 |                            |               |                 |          |          |          |                |
| 3    |                | Gary - Hobart Water Corp 650 Madison St, P.O. Box M486 Gary IN 46401-0486 (Affected Party)                                      |         |                 |                            |               |                 |          |          |          |                |
| 4    |                | Lake County Health Department-Gary 1145 W. 5th Ave Gary IN 46402-1795 (Health Department)                                       |         |                 |                            |               |                 |          |          |          |                |
| 5    |                | WJOB / WZVN Radio 6405 Olcott Ave Hammond IN 46320 (Affected Party)   |         |                 |                            |               |                 |          |          |          |                |
| 6    |                | Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)                              |         |                 |                            |               |                 |          |          |          |                |
| 7    |                | Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 (Affected Party)  |         |                 |                            |               |                 |          |          |          |                |
| 8    |                | Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 (Affected Party)                  |         |                 |                            |               |                 |          |          |          |                |
| 9    |                | Mark Coleman 9 Locust Place Ogden Dunes IN 46368 (Affected Party)   |         |                 |                            |               |                 |          |          |          |                |
| 10   |                | Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (Affected Party) |         |                 |                            |               |                 |          |          |          |                |
| 11   |                | Craig Hogarth 7901 West Morris Street Indianapolis IN 46231 (Affected Party)  |         |                 |                            |               |                 |          |          |          |                |
| 12   |                | Lake County Commissioners 2293 N. Main St, Building A 3rd Floor Crown Point IN 46307 (Local Official)                           |         |                 |                            |               |                 |          |          |          |                |
| 13   |                | Highland Town Council 3333 Ridge Rd. Highland IN 46322 (Local Official)   |         |                 |                            |               |                 |          |          |          |                |
| 14   |                | Anthony Copeland 2006 E. 140th Street East Chicago IN 46312 (Affected Party)  |         |                 |                            |               |                 |          |          |          |                |
| 15   |                | Barbara G. Perez 506 Lilac Street East Chicago IN 46312 (Affected Party)  |         |                 |                            |               |                 |          |          |          |                |

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|---|--|--|--|
| Total number of pieces Listed by Sender | Total number of Pieces Received at Post Office | Postmaster, Per (Name of Receiving employee) | The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See <b>Domestic Mail Manual R900, S913, and S921</b> for limitations of coverage on inured and COD mail. See <b>International Mail Manual</b> for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels. |
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|------|----------------|--|---------|-----------------|----------------------------|---------------|-----------------|----------|----------|----------|---------------------------|
| 1    |                | Robert 3733 Parrish Avenue East Chicago IN 46312 (Affected Party)                            |         |                 |                            |               |                 |          |          |          |                           |
| 2    |                | Ms. Karen Kroczek 8212 Madison Ave Munster IN 46321-1627 (Affected Party)                    |         |                 |                            |               |                 |          |          |          |                           |
| 3    |                | Calumet Township Trustee 31 E 5th Avenue Gary IN 46402 (Affected Party)                      |         |                 |                            |               |                 |          |          |          |                           |
| 4    |                | Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)                        |         |                 |                            |               |                 |          |          |          |                           |
| 5    |                | Gary City Council 401 Broadway # 209 Gary IN 46402 (Local Official)                          |         |                 |                            |               |                 |          |          |          |                           |
| 6    |                | Mr. Larry Davis 268 South, 600 West Hebron IN 46341 (Affected Party)                         |         |                 |                            |               |                 |          |          |          |                           |
| 7    |                | Gitte Laasby Post Tribune 1433 E. 83rd Ave Merrillville IN 46410 (Affected Party)            |         |                 |                            |               |                 |          |          |          |                           |
| 8    |                | Susan Severtson City of Gary Law Dept. 401 Broadway 4th Floor Gary IN 46402 (Local Official) |         |                 |                            |               |                 |          |          |          |                           |
| 9    |                | Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)                               |         |                 |                            |               |                 |          |          |          |                           |
| 10   |                |  |         |                 |                            |               |                 |          |          |          |                           |
| 11   |                |  |         |                 |                            |               |                 |          |          |          |                           |
| 12   |                |  |         |                 |                            |               |                 |          |          |          |                           |
| 13   |                |  |         |                 |                            |               |                 |          |          |          |                           |
| 14   |                |  |         |                 |                            |               |                 |          |          |          |                           |
| 15   |                |  |         |                 |                            |               |                 |          |          |          |                           |

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