INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: December 19, 2012

RE: Naas & Sons, LLC/163-32641-05316

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

Notice of Decision – Approval

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

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

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

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

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

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

Enclosures
FNPER-AM.dot12/3/07

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Rhonda Dunning
Naas & Sons, LLC
2267 W SR 68
Haubstadt, IN 47639

December 19, 2012

Re: 163-32641-05316
Portable Source Relocation Letter for
SSOA No. 163-26573-05316

Dear Ms. Dunning:

Approval is hereby granted to operate the portable stone crushing operation described in SSOA No. S163-26573-05316 issued on June 19, 2008. This source is to be re-located at Berry Plastics, 6501 Berry, Plastics Boulevard, Evansville, Indiana 47725. This plant was previously located at 1984 North Burkhardt Road, Evansville, Indiana 47715, and the site approval was issued on September 7, 2012.

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 Aida DeGuzman, of my staff, at 317-233-4972 or 1-800-451-6027, and ask for extension 3-4972.

Sincerely,

Chrystal Wagner, Section Chief
Permits Branch
Office of Air Quality

APD
Enclosures: Notice of Decision
cc: File Vanderburgh County
Vanderburgh County Health Department
Compliance and Enforcement Branch
Billing, Licensing and Training Section

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SOURCE SPECIFIC OPERATING AGREEMENT
OFFICE OF AIR QUALITY

NAAS and Sons, LLC
(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 SSOA.

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

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

Source Specific Operating Agreement No. 163-26573-05316	
Original signed by: Alfred C. Dumaual, Ph. D., Section Chief Permits Branch Office of Air Quality	Issuance Date: June 19, 2008

First Relocation No. 163-28355-05316, issued August 20, 2009
Second Relocation No. 163-28527-05316, issued on October 13, 2009
Third Relocation No. 163-28640-05316, issued on November 9, 2009
Fourth Relocation No. 163-29182-05316, issued on April 23, 2010
Fifth Relocation No. 163-29375-05316, issued on July 7, 2010
Sixth Relocation No. 163-30663-05316, issued on July 11, 2011
Seventh Relocation No. 163-31213-05316, issued on December 15, 2011
Eighth Relocation No. 163-31328-05316, issued on January 12, 2012
Ninth Relocation No. 163-31540-05316, issued on March 9, 2012
Tenth Relocation No. 095-31828-05316, issued on May 22, 2012
Eleventh Relocation No. 163-32259-05316, issued on September 7, 2012

Twelfth Relocation No. 163-32641-05316	
Issued by: Chrystal Wagner, Section Chief Permits Branch Office of Air Quality	Issuance Date: December 19, 2012

SECTION A SOURCE SUMMARY

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

A.1 General Information

The Permittee owns and operates a portable crushed stone operation.

Source Initial Address:	South side of Lloyd Expressway (SR 62) between Drive and Rosenberger Ave., Evansville, Indiana 47712
General Source Phone Number:	(812) 768-6450
SIC Code:	1429
County Location:	Vanderburgh County
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Source Specific Operating Agreement (SSOA) Not 1 of 28 Source Categories

A.2 Source Summary

This portable source consists of a Crushed Stone Operation [326 IAC 2-9-8]

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

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

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

SECTION B GENERAL CONDITIONS

B.1 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of permits established prior to SSOA No. 163-26573-05316 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.2 Annual Notification [326 IAC 2-9-1(d)]

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

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

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

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

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

B.3 Source Modification Requirement [326 IAC 2-9-1(e)]

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

B.4 SSOA Revocation [326 IAC 2-9-1(j)]

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-9]

C.1 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).

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

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

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

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

C.3 General Record Keeping Requirements [326 IAC 2-9-1(f)]

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

C.4 Reporting Requirements [326 IAC 2-9-1(h)]

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

Portable Source Requirements

C.5 Relocation of Portable Sources [326 IAC 2-14-4]

(a) This permit is approved for operation in all areas of Indiana, except Lake County and/or Porter County, because of the additional requirements for these specific counties. This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2 and Emission Offset in 326 IAC 2-3. Prior to locating in any 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.

(c) A “Relocation Site Approval” letter shall be obtained prior to relocating.

(d) A valid operation agreement consists of this document and any subsequent “Relocation Site Approval” letter specifying the current location of the portable plant.

SECTION D OPERATION CONDITIONS

Operation Description: Crushed Stone Operation [326 IAC 2-9-8]

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

Emission Limitations and Standards [326 IAC 2-9]

D.1 Crushed Stone Operation Limitations [326 IAC 2-9-8(b)(1)]

Pursuant to 326 IAC 2-9-8(b)(1):

(a) The crushed stone operation shall have no more than four (4) crushers, seven (7) screens, and one (1) conveying operation.

(b) The crushed stone operation annual throughput shall be less than four hundred thousand (400,000) tons per year.

D.2 Opacity [326 IAC 2-9-8(b)(4)(E)]

Pursuant to 326 IAC 2-9-8(b)(4)(E):

(a) The visible emissions from the screening and conveying operation shall not exceed an average of ten percent (10%) opacity in twenty-four (24) consecutive readings in a six (6) minute period.

(b) The visible emissions from the crushing operation shall not exceed an average of fifteen percent (15%) opacity in twenty-four (24) consecutive readings in a six (6) minute period.

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

(a) Pursuant to 326 IAC 2-9-8(b)(4)(F), the fugitive particulate matter (PM) emissions of this source shall be controlled by applying water on all storage piles and unpaved roadways on an as needed basis, such that the following visible emission conditions are met:

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

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

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

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

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

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

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

Compliance Determination Requirements [326 IAC 2-9]

D.4 Particulate [326 IAC 2-9-8(b)(4)(C)] [326 IAC 2-9-8(b)(4)(D)]

Pursuant to 326 IAC 2-9-8(b)(4)(C) and 326 IAC 2-9-8(b)(4)(D), the owner or operator shall comply with the following:

(a) The crushing, screening and conveying operations shall be equipped with dust collectors, unless a wet process or continuous wet suppression system is used to comply with Condition D.3.

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

D.5 Methods [326 IAC 2-9-8(b)(4)(E)]

Pursuant to 326 IAC 2-9-8(b)(4)(E), compliance with Condition D.2 shall be determined by 40 CFR 60, Appendix A, Method 9.

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

D.6 Record Keeping Requirements [326 IAC 2-9-8(b)(4)(A)]

Pursuant to 326 IAC 2-9-8(b)(4)(A), the source shall maintain annual throughput records of the crushed stone operation at the site on a calendar year basis. Section C - General Record Keeping Requirements of this SSOA contains the Permittee's obligations with regard to the records required by this condition.

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

SOURCE SPECIFIC OPERATING AGREEMENT (SSOA)
ANNUAL NOTIFICATION

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

Company Name:	NAAS & Sons, LLC
Initial Address:	South side of Lloyd Expressway (62) between Drive and Rosenberger Ave
City:	Evansville, Indiana 47712
Phone #:	(812) 768-6450
SSOA #:	163-26573-05316

I hereby certify that NAAS & Sons, LLC is:

☐ still in operation.
☐ no longer in operation.

I hereby certify that NAAS & Sons, LLC is:

☐ in compliance with the requirements of SSOA 163-26573-05316.
☐ not in compliance with the requirements of SSOA 163-26573-05316.

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

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

Noncompliance:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

PORTABLE SOURCE RELOCATION NOTIFICATION
CERTIFICATION

Source Name: NAAS & Sons, LLC
Source Initial Address: South side of Lloyd Expressway (62) between Drive and Rosenberger Ave
SSOA No.: 163-26573-05316

This certification shall be included when submitting a portable source relocation notification as required by this SSOA.

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the notification are true, accurate, and complete. Signature:
Printed Name:
Title/Position:
Phone:
Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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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: Rhonda Dunning
Naas & Sons, LLC
2267 W SR 68
Haubstadt, IN 47639

DATE: December 19, 2012

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

SUBJECT: Final Decision
Portable Source Relocation
163-32641-05316

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.

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	PWAY 12/19/2012 NAAS & Sons, LLC 163-32641-05316 (final)			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	▶	Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: **CERTIFICATE OF MAILING ONLY**	

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1		Rhonda Dunning NAAS & Sons, LLC 2267 W SR 68 Haubstadt IN 47639 (Source CAATS)									
2		Evansville City Council and Mayors Office 1NW MLK Blvd, Rm 302 Evansville IN 47708 *(Local Official)*									
3		Vanderburgh County Commissioners 1 NW MLK Blvd, Rm 305 Evansville IN 47708 *(Local Official)*									
4		Mr. Wendell Hibdon Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 *(Affected Party)*									
5		Mr. Don Mottley Save Our Rivers 6222 Yankeetown Hwy Boonville IN 47601 *(Affected Party)*									
6		Vanderburgh County Health Dept. 420 Milberry Street Evansville IN 47713-1888 *(Health Department)*									
7		Kim Sherman 3355 Woodview Drive Newburgh IN 47630 *(Affected Party)*									
8		Mr. Mark Wilson Evansville Courier & Press P.O. Box 268 Evansville IN 47702-0268 *(Affected Party)*									
9		Mr. John Blair 800 Adams Ave Evansville IN 47713 *(Affected Party)*									
10		Evansville EPA 100 E. Walnut St. Suite 100, Newsome Center Evansville IN 47713 *(Local Official)*									
11		David Boggs 216 Western Hills Dr Mt Vernon IN 47620 *(Affected Party)*									
12											
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