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Michael R. Pence Governor Thomas W. Easterly Commissioner

TO: Interested Parties / Applicant

DATE: July 15, 2013

RE: Orange County Concrete, LLC / 117-33329-00027

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.dot 6/13/2013



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Michael R. Pence Governor Thomas W. Easterly Commissioner

Mr. Mike Pluris Orange County Concrete, LLC 409 E. Jefferson Street Orleans, Indiana 47452 July 15, 2013

Re: 117-33329-00027 First Administrative Amendment to S117-28681-00027

Dear Mr. Pluris:

Orange County Concrete, Inc. was issued a Source Specific Operating Agreement (SSOA) No. S117-28681-00027 on December 2, 2009 for a stationary Ready-Mix Concrete batch plant located at 409 E. Jefferson Street, Orleans, Indiana 47452. On June 20, 2013, the Office of Air Quality (OAQ) received an application from the source requesting to transfer the following approval from Orange County Concrete, Inc. to Orange County Concrete, LLC. Pursuant to the provisions of 326 IAC 2-9, the SSOA is hereby revised as follows with the deleted language as strikeouts and new language **bolded**.

The company name has been revised throughout the SSOA as follows:

Company Name:

Orange County Concrete, Inc. Orange County Concrete, LLC

IDEM, OAQ made additional revision to the SSOA as described below. The permit has been revised as follows with deleted language as strikeouts and new language **bolded**:

- 1. IDEM, OAQ has decided to remove all references to the source mailing address. IDEM, OAQ will continue to maintain records of the mailing address.
- 2. IDEM, OAQ has clarified the SIC Code.

Section A.1 has been revised as follows:

A.1 General Information

...

The Permittee owns and operates a stationary ready-mix concrete batch plant.

409 E. Jefferson Street, Orleans, Indiana 47452
409 E. Jefferson Street, P.O. Box 204, Orleans,
Indiana 47452
(812) 865-2425
3273 (Ready-Mix Concrete)
Orange County
Attainment for all criteria pollutants
Source Specific Operating Agreement (SSOA)
Not 1 of 28 Source Categories





Orange County Concrete, LLC Orleans, Indiana Permit Reviewer: C. Sullivan

All other conditions of the permit shall remain unchanged and in effect. Attached please find the entire revised permit. A copy of the permit is available on the Internet at:

<u>http://www.in.gov/ai/appfiles/idem-caats/</u>. 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: <u>www.idem.in.gov</u>

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Charles Sullivan of my staff at 317-232-8422 or 1-800-451-6027, and ask for extension 2-8422.

Sincerely

Jason R. Krawczyk, Section Chief Permits Branch Office of Air Quality

Attachments: Updated Permit

JK/cs

cc: File - Orange County Orange County Health Department U.S. EPA, Region V Compliance and Enforcement Branch



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Michael R. Pence

Governor

Thomas W. Easterly Commissioner

# SOURCE SPECIFIC OPERATING AGREEMENT **OFFICE OF AIR QUALITY**

### **Orange County Concrete, LLC** 409 E. Jefferson Street Orleans, Indiana 47452

(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. S117-28681-00027

Issued by: / Original Signed by: Iryn Calilung, Section Chief Issuance Date: December 2, 2009 Permits Branch Office of Air Quality

First Administrative Amendment No. 117-33329-00027				
Issued by:				
C) Juli	Issuance Date:	July	15,	2013
Jason Krawczyk, Section Chief				
Permits Branch				
Office of Air Quality				



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#### **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 stationary ready-mix concrete batch plant.

Source Address:	409 E. Jefferson Street, Orleans, Indiana 47452
General Source Phone Number:	(812) 865-2425
SIC Code:	3273 (Ready-Mix Concrete)
County Location:	Orange 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 stationary source consists of the following:

Ready-Mix Concrete Batch Operation [326 IAC 2-9-9]

- 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 Definitions [326 IAC 2-1.1-1]

Terms in this SSOA 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 2-1.1-1) shall prevail.

B.2 Enforceability

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.3 Severability

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.4 Property Rights or Exclusive Privilege

This permit does not convey any property rights of any sort or any exclusive privilege.

#### B.5 Duty to Provide Information

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.
- B.6 Prior Permits Superseded [326 IAC 2-1.1-9.5]
  - (a) All terms and conditions of permits established prior to SSOA No. 117-28681-00027 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.7 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.8Source 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<br/>will no longer comply with the applicable restrictions and conditions of this SSOA, it shall obtain<br/>the appropriate approval from IDEM, OAQ under 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-4.1,<br/>326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, and 326 IAC 2-8.
- B.9 Inspection and Entry [326 IAC 2-5.1-3(e)(4)(B)] [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:
  - Enter upon the Permittee's premises where a permitted 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.10 Permit Revocation [326 IAC 2-1.1-9] [326 IAC 2-9-1(j)]
  - (a) Pursuant to 326 IAC 2-1.1-9 (Revocation of Permits), this permit to operate may be revoked for any of the following causes:
    - (1) Violation of any conditions of this permit.

- (2) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.
- (3) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.
- (4) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
- (5) For any cause which establishes in the judgment of IDEM the fact that continuance of this permit is not consistent with purposes of this article.
- (b) 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

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

C.1 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.2 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.3 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.

#### SECTION D

#### **OPERATION CONDITIONS**

#### **Operation Description:**

Ready-Mix Concrete Batch Operation [326 IAC 2-9-9]

(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 Ready-Mix Concrete Batch Operation Limitation [326 IAC 2-9-9(b)(1)] Pursuant to 326 IAC 2-9-9(b)(1), the production from the concrete batch operation shall be limited to less than three hundred thousand (300,000) cubic yards per year.
- D.2 Opacity [326 IAC 2-9-9(b)(3)]

Pursuant to 326 IAC 2-9-9(b)(3), fugitive particulate emissions from the cement and aggregate silos shall be controlled by operating dust collectors such that visible emissions do not exceed twenty percent (20%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.

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

- (a) Pursuant to 326 IAC 2-9-9(b)(4), the fugitive particulate matter (PM) emissions from all aggregate storage piles, unpaved roadways, and aggregate transfer processes of this source shall be controlled by applying water 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.

- (3) Visible emissions from the aggregate transferring processes shall not exceed an average instantaneous opacity of twenty percent (20%). The average instantaneous opacity shall be the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) material loading or unloading operation. The three (3) readings shall be taken 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 2-9-9(b)(8), the fugitive particulate emissions at the sand and gravel 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 2-9-9(b)(5)] [326 IAC 2-9-9(b)(6)]
  - Pursuant to 326 IAC 2-9-9(b)(5) and 326 IAC 2-9-9(b)(6), the owner or operator shall comply with the following:
    - (a) 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.
    - (b) All cement transferring processes shall always be enclosed.

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

- D.5
   Record Keeping Requirements [326 IAC 2-9-9(b)(2)] [326 IAC 2-9-9(b)(7)]

   Pursuant to 326 IAC 2-9-9(b)(2) and 326 IAC 2-9-9(b)(7):
  - (a) The source shall keep annual production records of the concrete batch operation at the site on a calendar year basis.
  - (b) The source shall maintain records on the types of air pollution control devices used at the source and the operation and maintenance manuals for those control devices.
  - (c) All records shall be maintained in accordance with Section C General Record Keeping Requirements.

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

#### SOURCE SPECIFIC OPERATING AGREEMENT (SSOA) ANNUAL NOTIFICATION

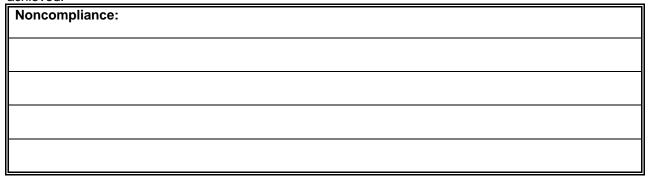
This form should be used to comply with the notification requirements under 326 IAC 2-9.

Company Name:	Orange County Concrete, LLC	
Address:	409 E. Jefferson Street	
City:	Orleans, Indiana 47452	
Phone #:	(812) 865-2425	
SSOA #:	117-28681-00027	

I hereby certify that Orange County Concrete, LLC is:	still in operation.
	no longer in operation.
I hereby certify that Orange County Concrete, LLC is:	<ul> <li>in compliance with the requirements of SSOA 117-28681-00027.</li> <li>not in compliance with the requirements of SSOA 117-28681-00027.</li> </ul>

Authorized Individual (typed):	
Fitle:	
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.





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Michael R. Pence Governor Thomas W. Easterly Commissioner

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

TO: Mr. Mike Pluris Orange County Concrete, LLC 409 E. Jefferson Street Orleans, Indiana 47452

DATE: July 15, 2013

- FROM: Matt Stuckey, Branch Chief Permits Branch Office of Air Quality
- SUBJECT: Final Decision Source Specific Operating Agreement – Administrative Amendment 117-33329-00027

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: Chelsey Dillard, Secretary - Treasurer / Orange County Concrete, LLC 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 6/13/2013



# Mail Code 61-53

IDEM Staff	AWELLS 7/15/2	013		
	Orange County C	Concrete LLC 117-33329-00027 Final	AFFIX STAMP	
Name and		Indiana Department of Environmental	Type of Mail:	HERE IF
address of		Management		USED AS
Sender		Office of Air Quality – Permits Branch	CERTIFICATE OF	CERTIFICATE
		100 N. Senate	MAILING ONLY	OF MAILING
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1		Mike Pluris Orange County Concrete LLC 409 E Jefferson St Orleans IN 47452 (Sour	ce CAATS) co	onfirmed delive	ery		1				
2		Chelsey Dillard Secretary - Treasurer Orange County Concrete LLC 409 E JEfferson	St Orleans IN	47452 <i>(RO</i>	CAATS)						
3		Mr. Alec Kalla 8733 W. Summit Circle Drive French Lick IN 47432 (Affected Party)									
4		Orleans Town Council P.O. Box 271 Orleans IN 47452 (Local Official)									
5		Orange County Commissioners 205 East Main Street Paoli IN 47454 (Local Official	)								
6	Paoli Town Council 110 N. Gospel St. Paoli IN 47454 (Local Official)										
7	Orange County Health Department 205 E Main Street Paoli IN 47454-1591 (Health Department)										
8	John Blair 800 Adams Ave Evansville IN 47713 (Affected Party)										
9											
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Total number of pieces	Total number of Pieces	Postmaster, Per (Name of	The full declaration of value is required on all domestic and international registered mail. The
Listed by Sender	Received at Post Office	Receiving employee)	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.