



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

**Michael R. Pence**  
Governor

**Thomas W. Easterly**  
Commissioner

TO: Interested Parties / Applicant

DATE: July 3, 2013

RE: Martin Marietta Materials, Inc. / 097-33364-00045

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

## Notice of Decision: Approval - Effective Immediately

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 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require 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 of 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.dot 6/13/13



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Mr. D. Max Williams  
Martin Marietta Materials, Inc.  
11405 N. Pennsylvania St. Suite 250  
Carmel, Indiana 46032

July 3, 2013

Re: Review Request No. 097-33364-00045  
Permit Status Evaluation - Diesel Engine

Dear Mr. Williams,

Martin Marietta Materials, Inc. was issued a Source Specific Operating Agreement (SSOA) No. S097-7273-00045 on November 25, 1996 for a stationary crushed stone processing plant, operating at 2605 South Kentucky Avenue, Indianapolis, Indiana. On June 28, 2013, the Office of Air Quality received an application from the source requesting a determination of the appropriate permit action required for the inclusion of a conveyor powered by a diesel-fired generator. The request was sent as a follow-up to a recent inspection of the source by the Compliance and Enforcement Branch of the Office of Air Quality.

The Office of Air Quality Permits Branch has researched this issue, with respect to the operation of this generator at the source, and has researched the permitting rules that may be applicable to this emission unit, and has determined the following:

- (a) The source's SSOA includes the conveyor that is of issue; therefore, the conveyor is approved for operation at this source..
- (b) The source is operating its diesel-fired generator under the requirements of 326 IAC 2-9-14 (Source Specific Operating Agreement for Internal Combustion Engines). The provisions of 326 IAC 2-9-14(a)(3) allow a source to elect to comply with emissions limitations by limiting its fuel usage. Under that rule, the diesel-fired generator with a power rating of less than 600 horsepower (hp) has an annual usage limit of diesel fuel of 165,510 gallons per twelve consecutive month period. The source has indicated that its fuel usage for the entire year of 2012 was 1,700 gallons of diesel and has further indicated that, in the first half of 2013, the diesel fuel usage for this unit was zero gallons. Therefore, the source has demonstrated compliance with this limit.
- (c) 326 IAC 2-9-14(b) further states that, for sources able to demonstrate compliance, no other demonstration of compliance is required, and that a source specific operating agreement (SSOA) is not required for these sources.

The Office of Air Quality has determined that the diesel-fired generator powering the conveyor is operating within the provisions of 326 IAC 2-9-14, and that, pursuant to 326 IAC 2-9-14(b), no further permit action is required. All other conditions of the SSOA No. 097-7273-00045 shall remain unchanged and in effect. The owner or operator is hereby notified, however, that this letter does not relieve the Permittee of the obligation to comply with the provisions of any applicable New Source Performance Standards (NSPS), 40 CFR 60, or National Emissions Standards for Hazardous Air Pollutants (NESHAP), 40 CFR 63. Please attach a copy of this letter to the front page of the original operating permit.

If you have any questions on this matter, please contact Jack Harmon, of my staff, at 317-233-4228, or 1-800-451-6027, and ask for extension 3-4228.

Sincerely,

A handwritten signature in black ink, appearing to read 'CAW', with a long horizontal flourish extending to the right.

Chrystal A Wagner, Section Chief,  
Permits Branch,  
Office of Air Quality

CAW/jh

Cc: File - Marion County  
Marion County Health Department  
U.S. EPA, Region V  
Compliance and Enforcement Branch Inspector



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*Commissioner*

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

**TO:** Max Williams  
Martin Marietta Materials, Inc - Kentucky Ave Mine  
11405 N. Pennsylvania St # 250  
Carmel, IN 46032

**DATE:** July 3, 2013

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

**SUBJECT:** Final Decision  
Review Request  
097-33364-00045

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:  
Matt Mosier, Consultant  
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 6/13/2013

# Mail Code 61-53

IDEM Staff	DPABST 7/5/2013 Martin Marietta Materials, Inc - Kentucky Ave Mine 097-33364-00045 (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:  <b>CERTIFICATE OF MAILING ONLY</b>	

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		Max Williams Martin Marietta Materials, Inc - Kentucky Ave Mine 11405 N. Pennsylvania St # 250 Carmel IN 46032 (Source CAATS) (CONFIRM DELIVERY)										
2		Max Williams Martin Marietta Materials, Inc - Kentucky Ave Mine 11405 N Pennsylvania St #250 Carmel IN 46032 (RO CAATS)										
3		Marion County Health Department 3838 N, Rural St Indianapolis IN 46205-2930 (Health Department)										
4		Indianapolis City Council and Mayors Office 200 East Washington Street, Room E Indianapolis IN 46204 (Local Official)										
5		Marion County Commissioners 200 E. Washington St. City County Bldg., Suite 801 Indianapolis IN 46204 (Local Official)										
6		Matt Mosier Office of Sustainability 1200 S Madison Ave #200 Indianapolis IN 46225 (Local Official)										
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