



# 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](http://www.idem.IN.gov)

**Michael R. Pence**  
Governor

**Carol S. Comer**  
Commissioner

## NOTICE OF 30-DAY PERIOD FOR PUBLIC COMMENT

Preliminary Findings Regarding the Renewal of a  
Minor Source Operating Permit (MSOP)

for James Memering Excavating in Vigo County

MSOP Renewal No.: M167-37293-05354

The Indiana Department of Environmental Management (IDEM) has received an application from James Memering Excavating located at 3527 Erie Canal Road, Terre Haute, Indiana for a renewal of its MSOP issued on January 31, 2011. If approved by IDEM's Office of Air Quality (OAQ), this proposed renewal would allow James Memering Excavating to continue to operate its existing source.

This draft MSOP Renewal does not contain any new equipment that would emit air pollutants, and no conditions from previously issued permits/approvals have been changed.

IDEM is aware that the portable concrete crushing plant has been operated prior to receipt of the proper permit. IDEM is reviewing this matter and will take appropriate action. This draft MSOP Renewal contains provisions to bring unpermitted equipment into compliance with construction and operation permit rules.

A copy of the permit application and IDEM's preliminary findings are available at:

Vigo County Public Library  
One Library Square  
Terre Haute, Indiana 47807

and

IDEM Southwest Regional Office  
1120 N. Vincennes Avenue  
P.O. Box 128  
Petersburg, IN 47567-0128

A copy of the preliminary findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.

### How can you participate in this process?

The date that this notice is published in a newspaper marks the beginning of a 30-day public comment period. If the 30<sup>th</sup> day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If a public hearing or meeting is held, IDEM will make a separate announcement of the date, time, and location of that hearing or meeting. At a hearing, you would have an opportunity to submit written comments and make verbal comments. At a meeting, you would have an

opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

Comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number M167-37293-05354 in all correspondence.

**Comments should be sent to:**

Donald McQuigg  
IDEM, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
(800) 451-6027, ask for extension 4-4240  
Or dial directly: (317) 234-4240  
Fax: (317) 232-6749 attn: Donald McQuigg  
E-mail: dmcquigg@idem.IN.gov

All comments will be considered by IDEM when we make a decision to issue or deny the permit. Comments that are most likely to affect final permit decisions are those based on the rules and laws governing this permitting process (326 IAC 2), air quality issues, and technical issues. IDEM does not have legal authority to regulate zoning, odor, or noise. For such issues, please contact your local officials.

For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Permit Guide on the Internet at: <http://www.in.gov/idem/5881.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

**What will happen after IDEM makes a decision?**

Following the end of the public comment period, IDEM will issue a Notice of Decision stating whether the permit has been issued or denied. If the permit is issued, it may be different than the draft permit because of comments that were received during the public comment period. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM's response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive a Notice of the Decision. The notice will provide details on how you may appeal IDEM's decision, if you disagree with that decision. The final decision will also be available on the Internet at the address indicated above, at the local library indicated above, at the IDEM Regional Office indicated above, and the IDEM public file room on the 12<sup>th</sup> floor of the Indiana Government Center North, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2251.

If you have any questions, please contact Donald McQuigg of my staff at the above address.



Josiah K. Balogun, Section Chief  
Permits Branch  
Office of Air Quality



# Indiana Department of Environmental Management

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DRAFT

## Minor Source Operating Permit Renewal OFFICE OF AIR QUALITY

### James Memering Excavating 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.

This permit is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-6.1 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 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 MSOP under 326 IAC 2-6.1.

Operation Permit No.: M167-37293-05354	
Issued by:  Josiah K. Balogun, Section Chief Permits Branch Office of Air Quality	Issuance Date:  Expiration Date:

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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 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 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 2-5.1-3(c)][326 IAC 2-6.1-4(a)]**

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The Permittee owns and operates a portable concrete crushing plant.

Initial Source Address:	3527 Erie Canal Road, Terre Haute, Indiana 47802
General Source Phone Number:	(812) 881-7808
SIC Code:	1795 (Wrecking and Demolition Work)
County Location:	Vigo Outside Fayette and Harrison Townships
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Minor Source Operating Permit Program
	Minor Source, under PSD 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**

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This portable source consists of the following emission units and pollution control devices:

- (a) One (1) portable concrete crushing plant, identified as CR-1, constructed in 1997 and approved for installation and operation in 2010, with a maximum capacity of 120 tons per hour, using water spray suppression, identified as C-1, as particulate control. This plant also includes:
- (1) one (1) separating screen, identified as SC-1, with a maximum throughput of 120 tons per hour and two (2) conveyors, identified as CO-1 and CO-2, for moving material from the separating screen to the storage piles, each with a maximum capacity of 120 tons per hour;
  - (2) Two (2) crushed concrete storage piles, identified as SP-1 and SP-2, each with a maximum size of 0.1 acre;
  - (3) One (1) truck unloading station, identified as U-1, with a maximum capacity of 120 tons per hour;
  - (4) One (1) water spray truck, identified as WT-1; and
  - (5) One (1) diesel-fired 4SRB engine, identified as EN-1, with a maximum capacity of 170 hp, exhausting to vent S-1.
- [EN-1 meets the definition of a nonroad engine, as defined in 40 CFR 1068.30.]
- (b) Fugitive particulate emissions from unpaved roads [326 IAC 6-4].

**SECTION B GENERAL CONDITIONS**

**B.1 Definitions [326 IAC 2-1.1-1]**

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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 2-1.1-1) shall prevail.

**B.2 Permit Term [326 IAC 2-6.1-7(a)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]**

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- (a) This permit, M167-37293-05354, 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]**

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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**

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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**

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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**

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

**B.7 Duty to Provide Information**

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- (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 Annual Notification [326 IAC 2-6.1-5(a)(5)]**

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- (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 permit.
- (b) The annual notice shall be submitted in the format attached no later than March 1 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
- (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.9 Preventive Maintenance Plan [326 IAC 1-6-3]**

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- (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 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.
- (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.10 Prior Permits Superseded [326 IAC 2-1.1-9.5]**

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- (a) All terms and conditions of permits established prior to M167-37293-05354 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.11 Termination of Right to Operate [326 IAC 2-6.1-7(a)]**

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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 one hundred twenty (120) days prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-6.1-7.

**B.12 Permit Renewal [326 IAC 2-6.1-7]**

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- (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 2-6.1-7. Such information shall be included in the application for each emission unit at this source. The renewal application does require an affirmation that the statements in the application are true and complete 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  
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
  - (1) Submitted at least one hundred twenty (120) days 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 2-6.1 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 2-6.1-4(b), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

**B.13 Permit Amendment or Revision [326 IAC 2-5.1-3(e)(3)][326 IAC 2-6.1-6]**

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- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-6.1-6 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
- (c) The Permittee shall notify the OAQ no later than thirty (30) calendar days of implementing a notice-only change. [326 IAC 2-6.1-6(d)]

**B.14 Source Modification Requirement**

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

**B.15 Inspection and Entry  
[326 IAC 2-5.1-3(e)(4)(B)][326 IAC 2-6.1-5(a)(4)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]**

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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 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.16 Transfer of Ownership or Operational Control [326 IAC 2-6.1-6]**

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- (a) The Permittee must comply with the requirements of 326 IAC 2-6.1-6 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

The application which shall be submitted by the Permittee does require an affirmation that the statements in the application are true and complete by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement notice-only changes addressed in the request for a notice-only change immediately upon submittal of the request. [326 IAC 2-6.1-6(d)(3)]

**B.17 Annual Fee Payment [326 IAC 2-1.1-7]**

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- (a) The Permittee shall pay annual fees due no later than thirty (30) calendar days of receipt of a bill from IDEM, OAQ,.
- (b) 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.18 Credible Evidence [326 IAC 1-1-6]**

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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 2-6.1-5(a)(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 Permit Revocation [326 IAC 2-1.1-9]**

Pursuant to 326 IAC 2-1.1-9 (Revocation of Permits), this permit to operate may be revoked for any of the following causes:

- (a) Violation of any conditions of this permit.
- (b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.
- (c) 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.
- (d) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
- (e) 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.

**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:

- (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, when the source is located in any County except Lake or the areas specified in Condition C.3(b)(1) through (7).
- (b) 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, when the source is located in the following areas listed in 326 IAC 5-1-1(c):
  - (1) Clark County (Jefferson Township - Cities of Jeffersonville, Clarksville, Oak Park);
  - (2) Dearborn County (Lawrenceburg Township - Cities of Lawrenceburg and Greendale);
  - (3) Dubois County (Bainbridge Township - the City of Jasper);

- (4) Marion County (except the area of Washington Township east of Fall Creek and the area of Franklin Township south of Thompson Road and east of Five Points Road);
  - (5) St. Joseph County (the area north of Kern Road and east of Pine Road);
  - (6) Vanderburgh County (the area included in the City of Evansville and Pigeon Township); and
  - (7) Vigo County (Indiana State University campus, 0.5km radius around UTM Easting 464,519.00, Northing 4,369,208.00, Zone 16.
- (c) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4, when the source is located in Lake County.
  - (d) 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, when the source is located in any County.

**C.4 Open Burning [326 IAC 4-1] [IC 13-17-9]**

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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]**

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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]**

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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]**

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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 Lake County Fugitive Particulate Matter Emission Limitations [326 IAC 6.8-10-3]**

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Pursuant to 326 IAC 6.8-10-3 (Lake County Fugitive Particulate Matter Emission Limitations), when located in Lake County, the particulate matter emissions from source wide activities shall meet the following requirements:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).

- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front-end loaders and skip hoists shall not exceed ten percent (10%).
- (h) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
- (i) The PM<sub>10</sub> emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) The PM<sub>10</sub> emissions from each material processing stack shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
- (l) Fugitive particulate matter from the material processing facilities shall not exceed ten percent (10%) opacity.
- (m) Slag and kish handling activities at integrated iron and steel plants shall comply with the following particulate emissions limits:
  - (1) The opacity of fugitive particulate emissions from transfer from pots and trucks into pits shall not exceed twenty percent (20%) on a six (6) minute average.
  - (2) The opacity of fugitive particulate emissions from transfer from pits into front end loaders and from transfer from front end loaders into trucks shall comply with the fugitive particulate emission limits in 326 IAC 6.8-10-3(9).
- (n) Any facility or operation not specified in 326 IAC 6.8-10-3 shall meet a twenty percent (20%), three (3) minute average opacity standard.

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.

- (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. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

### **Testing Requirements [326 IAC 2-6.1-5(a)(2)]**

#### **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.

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date.
- (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]**

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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 2-6.1-5(a)(2)]**

#### **C.12 Compliance Monitoring [326 IAC 2-1.1-11]**

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Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

#### **C.13 Instrument Specifications [326 IAC 2-1.1-11]**

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- (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. The analog instrument shall be capable of measuring values outside of the normal range.
- (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**

#### **C.14 Response to Excursions or Exceedances**

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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.15 Actions Related to Noncompliance Demonstrated by a Stack Test**

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- (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.

**Record Keeping and Reporting Requirements [326 IAC 2-6.1-5(a)(2)]**

**C.16 Malfunctions Report [326 IAC 1-6-2]**

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Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

- (a) A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) or appointed representative upon request.
- (b) When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAQ, using the Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.
- (c) Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and

expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).

- (d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

**C.17 General Record Keeping Requirements [326 IAC 2-6.1-5]**

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- (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.18 General Reporting Requirements [326 IAC 2-1.1-11] [326 IAC 2-6.1-2] [IC 13-14-1-13]**

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- (a) Reports required by conditions in Section D of 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

- (b) 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.
- (c) 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.19 Relocation of Portable Sources [326 IAC 2-14-4]**

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- (a) This permit is approved for operation all attainment areas for ozone in Indiana and in Lake County which is classified as severe nonattainment for ozone. 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 any other 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 permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

**SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS**

**Emissions Unit Description:**

- (a) One (1) portable concrete crushing plant, identified as CR-1, constructed in 1997 and approved for installation and operation in 2010, with a maximum capacity of 120 tons per hour, using water spray suppression, identified as C-1, as particulate control. This plant also includes:
  - (1) one (1) separating screen, identified as SC-1, with a maximum throughput of 120 tons per hour and two (2) conveyors, identified as CO-1 and CO-2, for moving material from the separating screen to the storage piles, each with a maximum capacity of 120 tons per hour;
  - (2) Two (2) crushed concrete storage piles, identified as SP-1 and SP-2, each with a maximum size of 0.1 acre;
  - (3) One (1) truck unloading station, identified as U-1, with a maximum capacity of 120 tons per hour; ,
  - (4) One (1) water spray truck, identified as WT-1; and
  - (5) One (1) diesel-fired 4SRB engine, identified as EN-1, with a maximum capacity of 170 hp, exhausting to vent S-1.

[EN-1 meets the definition of a nonroad engine, as defined in 40 CFR 1068.30.]

(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 2-6.1-5(a)(1)]**

D.1.1 Particulate Emission Limitations for Manufacturing Processes [326 IAC 6-3-2(e)]

Pursuant to 326 IAC 6-3-2(e) (Particulate Emission Limitations for Manufacturing Processes), when located in a county not cited in Condition D.1.2 or D.1.3, the allowable particulate matter (PM) emissions from the portable concrete crushing plant, identified as CR-1, shall not exceed 53.13 pounds per hour when operating at a process weight rate of 120 tons per hour.

The pound per hour limitation was calculated with the following equation:

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

D.1.2 Particulate Matter Limitations Except Lake County [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2 (a) (Particulate Matter Limitations Except Lake County), particulate matter (PM) emissions from the portable concrete crushing plant, identified as CR-1, shall not exceed three-hundredths (0.03) grains 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 Matter Limitations For Lake County [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2 (a) (Particulate Matter Limitations For Lake County), particulate matter (PM) emissions from the portable concrete crushing plant, identified as CR-1, shall not exceed three-hundredths (0.03) grains per dry standard cubic foot of exhaust air when the source is located in Lake County.

D.1.4 Preventive Maintenance Plan [326 IAC 1-6-3]

A Preventive Maintenance Plan is required for this facility and its control device. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

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

**MINOR SOURCE OPERATING PERMIT  
ANNUAL NOTIFICATION**

This form should be used to comply with the notification requirements under 326 IAC 2-6.1-5(a)(5).

<b>Company Name:</b>	James Memering Excavating
<b>Address:</b>	3527 Erie Canal Road
<b>City:</b>	Terre Haute, Indiana 47802
<b>Phone #:</b>	(812) 881-7808
<b>MSOP #:</b>	M167-37293-05354

I hereby certify that James Memering Excavating is :  still in operation.  
 no longer in operation.

I hereby certify that James Memering Excavating is :  in compliance with the requirements of MSOP M167-37293-05354.  
 not in compliance with the requirements of MSOP M167-37293-05354.

<b>Authorized Individual (typed):</b>
<b>Title:</b>
<b>Signature:</b>
<b>Date:</b>

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.

<b>Noncompliance:</b>

**MALFUNCTION REPORT**

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE AND ENFORCEMENT BRANCH  
FAX NUMBER: (317) 233-6865**

**This form should only be used to report malfunctions applicable to Rule 326 IAC 1-6  
and to qualify for the exemption under 326 IAC 1-6-4.**

THIS FACILITY MEETS THE APPLICABILITY REQUIREMENTS BECAUSE IT HAS POTENTIAL TO EMIT 25 TONS/YEAR PARTICULATE MATTER ?\_\_\_\_\_, 25 TONS/YEAR SULFUR DIOXIDE ?\_\_\_\_\_, 25 TONS/YEAR NITROGEN OXIDES?\_\_\_\_\_, 25 TONS/YEAR VOC ?\_\_\_\_\_, 25 TONS/YEAR HYDROGEN SULFIDE ?\_\_\_\_\_, 25 TONS/YEAR TOTAL REDUCED SULFUR ?\_\_\_\_\_, 25 TONS/YEAR REDUCED SULFUR COMPOUNDS ?\_\_\_\_\_, 25 TONS/YEAR FLUORIDES ?\_\_\_\_\_, 100 TONS/YEAR CARBON MONOXIDE ?\_\_\_\_\_, 10 TONS/YEAR ANY SINGLE HAZARDOUS AIR POLLUTANT ?\_\_\_\_\_, 25 TONS/YEAR ANY COMBINATION HAZARDOUS AIR POLLUTANT ?\_\_\_\_\_, 1 TON/YEAR LEAD OR LEAD COMPOUNDS MEASURED AS ELEMENTAL LEAD ?\_\_\_\_\_, OR IS A SOURCE LISTED UNDER 326 IAC 2-5.1-3(2) ?\_\_\_\_\_. EMISSIONS FROM MALFUNCTIONING CONTROL EQUIPMENT OR PROCESS EQUIPMENT CAUSED EMISSIONS IN EXCESS OF APPLICABLE LIMITATION \_\_\_\_\_.

THIS MALFUNCTION RESULTED IN A VIOLATION OF: 326 IAC \_\_\_\_\_ OR, PERMIT CONDITION # \_\_\_\_\_ AND/OR PERMIT LIMIT OF \_\_\_\_\_

THIS INCIDENT MEETS THE DEFINITION OF "MALFUNCTION" AS LISTED ON REVERSE SIDE ?    Y    N

THIS MALFUNCTION IS OR WILL BE LONGER THAN THE ONE (1) HOUR REPORTING REQUIREMENT ?    Y    N

COMPANY: \_\_\_\_\_ PHONE NO. (    ) \_\_\_\_\_

LOCATION: (CITY AND COUNTY) \_\_\_\_\_

PERMIT NO. \_\_\_\_\_ AFS PLANT ID: \_\_\_\_\_ AFS POINT ID: \_\_\_\_\_ INSP: \_\_\_\_\_

CONTROL/PROCESS DEVICE WHICH MALFUNCTIONED AND REASON: \_\_\_\_\_

DATE/TIME MALFUNCTION STARTED: \_\_\_\_/\_\_\_\_/20\_\_\_\_    \_\_\_\_\_ AM / PM

ESTIMATED HOURS OF OPERATION WITH MALFUNCTION CONDITION: \_\_\_\_\_

DATE/TIME CONTROL EQUIPMENT BACK-IN SERVICE \_\_\_\_/\_\_\_\_/20\_\_\_\_    \_\_\_\_\_ AM/PM

TYPE OF POLLUTANTS EMITTED: TSP, PM-10, SO2, VOC, OTHER: \_\_\_\_\_

ESTIMATED AMOUNT OF POLLUTANT EMITTED DURING MALFUNCTION: \_\_\_\_\_

MEASURES TAKEN TO MINIMIZE EMISSIONS: \_\_\_\_\_

REASONS WHY FACILITY CANNOT BE SHUTDOWN DURING REPAIRS:

CONTINUED OPERATION REQUIRED TO PROVIDE ESSENTIAL\* SERVICES: \_\_\_\_\_

CONTINUED OPERATION NECESSARY TO PREVENT INJURY TO PERSONS: \_\_\_\_\_

CONTINUED OPERATION NECESSARY TO PREVENT SEVERE DAMAGE TO EQUIPMENT: \_\_\_\_\_

INTERIM CONTROL MEASURES: (IF APPLICABLE) \_\_\_\_\_

MALFUNCTION REPORTED BY: \_\_\_\_\_ TITLE: \_\_\_\_\_  
(SIGNATURE IF FAXED)

MALFUNCTION RECORDED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

\*SEE PAGE 2

**Please note - This form should only be used to report malfunctions applicable to Rule 326 IAC 1-6 and to qualify for the exemption under 326 IAC 1-6-4.**

**326 IAC 1-6-1 Applicability of rule**

Sec. 1. This rule applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-5.1 or 326 IAC 2-6.1.

**326 IAC 1-2-39 "Malfunction" definition**

Sec. 39. Any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner.

\***Essential services** are interpreted to mean those operations, such as, the providing of electricity by power plants. Continued operation solely for the economic benefit of the owner or operator shall not be sufficient reason why a facility cannot be shutdown during a control equipment shutdown.

If this item is checked on the front, please explain rationale:

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**Attachment A:**  
**Fugitive Particulate Matter Emission Control Plan**

James Memering Excavating

2856 North Old Hwy 41

Vincennes, IN 47591

(812) 882-3142

Temporary Location

3527 Erie Canal Rd., Terre Haute, IN

MSOP Renewal M167-37293-05354

**The Fugitive Dust Control Plan for James Memering Excavating is for the portable concrete crusher process. Elements of this plan are intended to satisfy the requirements of 326IAC Articles 6, 6.5, and 6.8. Opacity determined using 40CFR 60, Appendix A, Method 9.**

**The Plan is for standard operating procedures of fugitive dust control. Site specific conditions may call for additional controls.**

<b>Table of Contents</b>	<b>Pg</b>
Site Plan/Process.....	3
Dust Control Methods.....	4
Self Inspection Checklist.....	5
Attachments - Typical fugitive dust site plan, temporary site plan, process diagram	

#### A. Site Plan/Process

The James Memering Excavating concrete crusher is a portable unit. It is located at various sites to recycle used concrete road material removed in most cases for repair and rebuilding of roads. The concrete is broken into smaller size for reuse in roadbed material.

The concrete roadbed material is first broken in transportable size by an impact unit. The broken concrete is then transported by truck to a nearby central location. The concrete crusher is towed to this central location for the crushing process.

Attached to this plan is a typical site map for the portable concrete crushing process. The usual operation entails James Memering Excavating leasing property near the road work area. These properties usually contain no paved access road, so a gravel temporary access is constructed. The concrete material from the road work area is dumped near the crusher, where it is fed at the maximum rate of 120 ton/hr.

Depending on needs, the material is usually screened to two different sizes and dropped to two conveyors that feed to two piles. The crushed material is then hauled out as needed.

The accompanying drawing lists the various functioning process. They include:

CR-1 – Crusher Unit

SC-1 -- Separating Screen that divides crushed particles by size

CO-1 & CO-2 – Two conveyors that carry product from separating screen to piles

SP-1 & SP-2 – Storage Piles

U-1 – Unloading, Loading of material from trucks

UR-1 – Unpaved access road to crusher unit

WT-1 – Water truck for wetting process areas

## B. Dust Control Methods

CR-1: The crusher unit uses impactors powered by the diesel engine unit to break large chunks of concrete into smaller pieces that can be compacted for the base of new road construction. Water spray is directed into the feed hopper to prevent the formation of dust particles. The operator shall limit the height from which the material is dropped into the hopper to limit particle breakage and allow the material to be wetted before entering the impactor. The operator shall also monitor the hopper feed water spray, and service as needed to ensure proper flow through the nozzles.

SC-1: The Separating Screen divides the crushed concrete into two sizes for later use. Dust control is aided by the wetting of material during its insertion into the feed hopper. If opacity at the screen unit exceeds 10%, skirt material is added at the perimeter of the screen.

CO-1 & CO-2: Conveyors for the crusher unit are usually kept uncovered to allow the operator to monitor the proper flow of material. The residual effect of the water spray at the hopper is usually sufficient to adequately prevent excessive fugitive dust. In the event of exceptionally dry material, excessive winds, or opacity exceeding 10%, the operator shall install covers to minimize fugitive dust. The drop distance to the storage pile from the conveyor shall be kept at a minimum to discourage dust.

SP-1 & SP-2: Storage Piles shall be wetted as needed to discourage windblown fugitive dust. Pile size can affect the amount of potential fugitive dust, and the operator shall strive to keep storage as small as possible.

U-1: Loading and unloading of materials. The operator shall minimize drop height to haul vehicles to aide in fugitive dust suppression. Materials should be properly wetted before loading if opacity from loading activity exceeds 10%. Efforts made to delay material transfer during excessive winds.

UR-1: Unpaved roads can be the largest source of fugitive dust particles in this process. The operator can minimize particle emissions from this source by properly designing egress to the site. A minimum distance for hauling ensures less dust manufactured by truck traffic. The use of gravel on the haul road will create less fugitive dust than bare soil. A 10 mph speed limit will aid in safety and keep dust down. The on-site water truck (WT-1) shall be utilized as needed. Particulates from unpaved roads shall not exceed 10% opacity .

Paved Public Road: Monitoring track out from the process area to paved public roads shall be part of dust mitigation. Liberal gravel placement at this entrance will decrease track out. If debris is at paved road, flush with water or power sweep and flush to remove.

### C. Self Inspection Checklists

Routine tasks of fugitive dust control shall be part of the daily schedule. Self-inspection sheets as part of this plan shall be kept up to date. These sheets include weather monitoring and documentation of dust control methods. Examples of entries are as follows:

Fugitive Dust Control Method Log

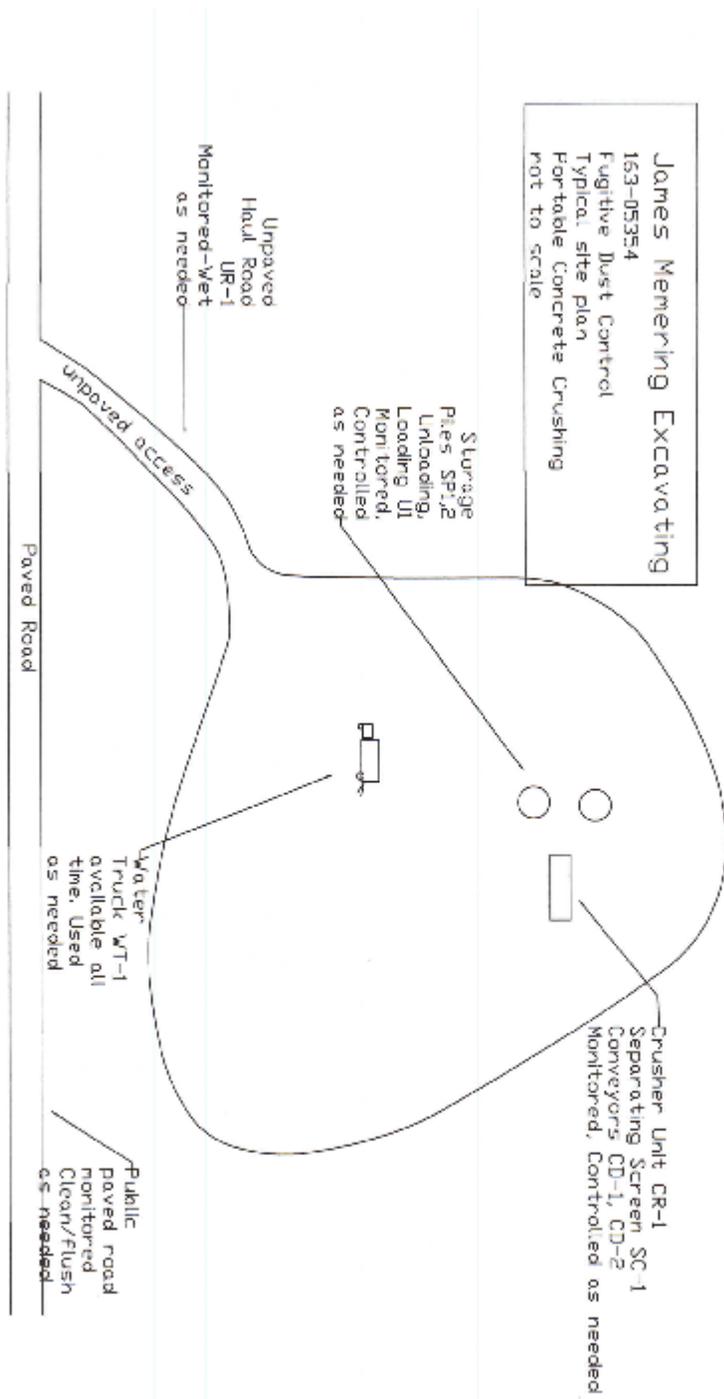
Source	Date	Time	Control Method	Comments
Unpaved Haul Road	12-7-16	8 A.M.	Water Truck Spray	Two passes
Storage Piles	12-7-16	8:15 A.M.	Spray Piles w/water	Both piles
Public Paved Road	12-7-16	8 :30 A.M.	None	No debris at entrance
Unpaved Haul Road	12-8-16	8 A.M.	See weather log	
Storage Piles	12-8-16	8 A.M.	See weather log	

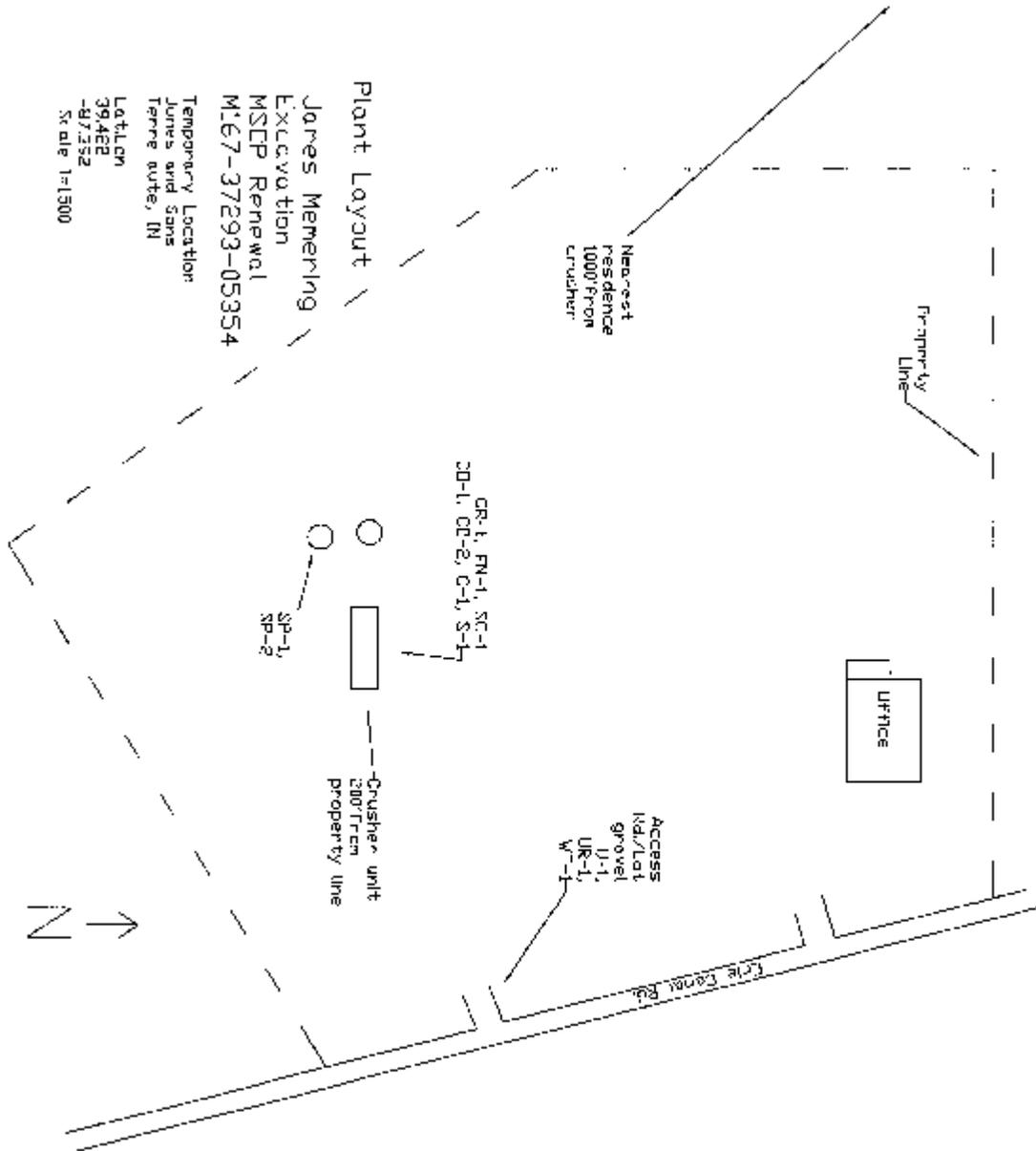
Weather Log

Date	Temperature	Wind Speed/Direction	Amount of rainfall	Comments
12-7-16	42 F (high)	10 MPWMPH west	0 in.	Clear
12-8-16	50 F (high)	12 MPH south	.25 in.	All day drizzle

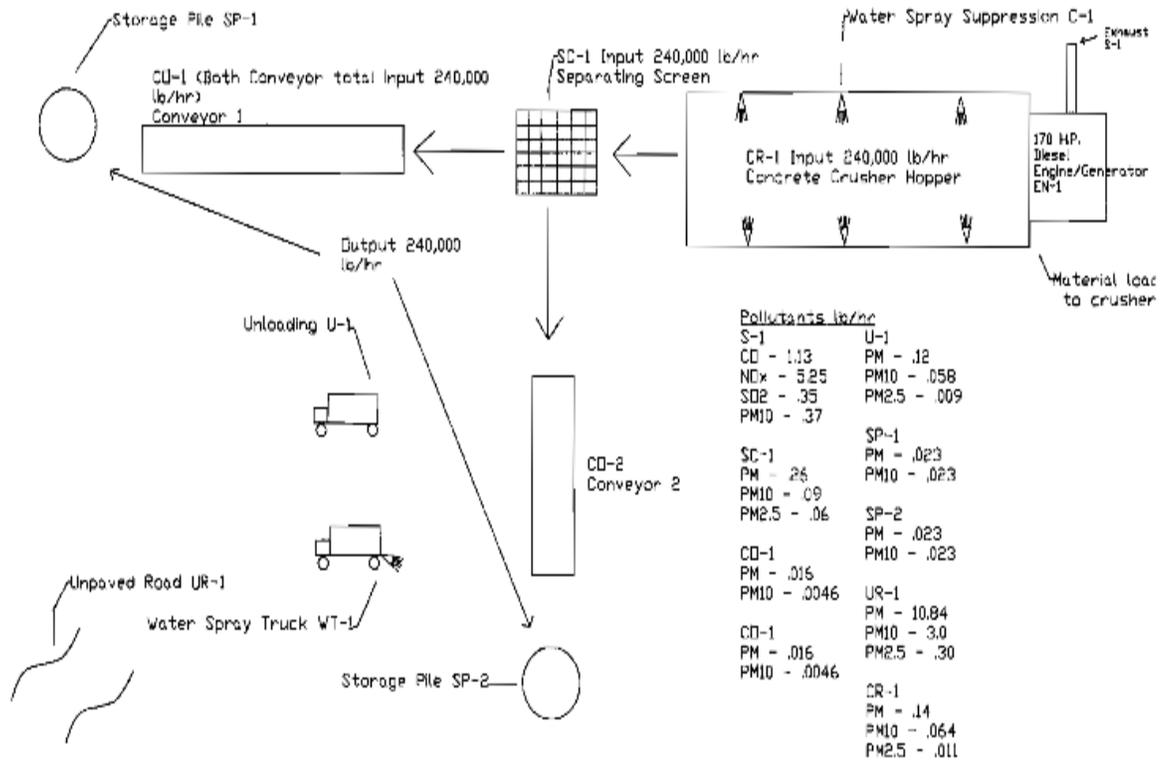
Checklists shall be completed daily and retained with plan.

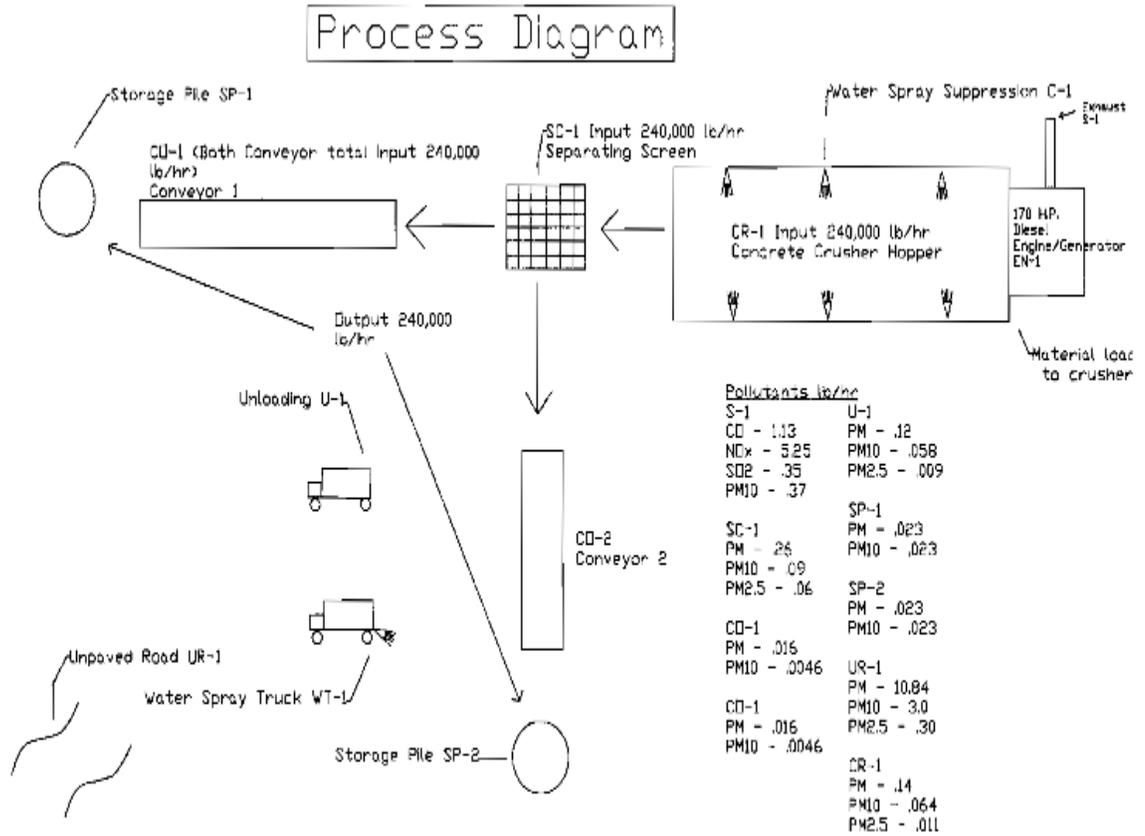
# Attachments





# Process Diagram





**Indiana Department of Environmental Management**  
Office of Air Quality

Technical Support Document (TSD) for a  
Minor Source Operating Permit Renewal

**Source Background and Description**

<b>Source Name:</b>	<b>James Memering Excavating</b>
<b>Source Location:</b>	<b>3527 Erie Canal Road, Terre Haute, Indiana 47802</b>
<b>County:</b>	<b>Vigo Outside Fayette and Harrison Townships</b>
<b>SIC Code:</b>	<b>1795 (Wrecking and Demolition Work)</b>
<b>Permit Renewal No.:</b>	<b>M167-37293-05354</b>
<b>Permit Reviewer:</b>	<b>Donald McQuigg</b>

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from James Memering Excavating relating to the operation of a portable concrete crushing plant. On June 13, 2016, James Memering Excavating submitted an application to the OAQ requesting to renew its operating permit. James Memering Excavating was issued its first MSOP No. M163-29724-05354 on January 31, 2011.

**Permitted Emission Units and Pollution Control Equipment**

The source consists of the following permitted emission units:

- (a) One (1) portable concrete crushing plant, identified as CR-1, constructed in 1997 and approved for installation and operation in 2010, with a maximum capacity of 120 tons per hour, using water spray suppression, identified as C-1, as particulate control. This plant also includes:
- (1) one (1) separating screen, identified as SC-1, with a maximum throughput of 120 tons per hour and two (2) conveyors, identified as CO-1 and CO-2, for moving material from the separating screen to the storage piles, each with a maximum capacity of 120 tons per hour;
  - (2) Two (2) crushed concrete storage piles, identified as SP-1 and SP-2, each with a maximum size of 0.1 acre;
  - (3) One (1) truck unloading station, identified as U-1, with a maximum capacity of 120 tons per hour;
  - (4) One (1) water spray truck, identified as WT-1; and
  - (5) One (1) diesel-fired 4SRB engine, identified as EN-1, with a maximum capacity of 170 hp, exhausting to vent S-1.
- [EN-1 meets the definition of a nonroad engine, as defined in 40 CFR 1068.30.]
- (b) Fugitive particulate emissions from unpaved roads [326 IAC 6-4].

### Existing Approvals

Since the issuance of the MSOP No. M163-29724-05354 on January 31, 2011, the source has constructed or has been operating under the following additional approvals:

- (a) MSOP Relocation No. 163-34710-05354 issued on July 30, 2014; and
- (b) MSOP Relocation No. 163-36229-05354 issued on September 22, 2015.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the State Implementation Plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

### Enforcement Issue

In accordance with 326 IAC 2-6.1-7(b), a timely renewal application is one that is submitted at least one hundred twenty (120) calendar days prior to the expiration date of the source's existing operating permit. This source's existing permit expired on January 31, 2016. The source's permit renewal application was not received by IDEM until June 13, 2016.

In accordance with 326 IAC 2-14-4(a)(1), a portable source shall submit a relocation notification at least thirty (30) days prior to relocation. IDEM did not receive a request to relocate from the Northwest corner of First Avenue and Diamond Avenue, Evansville, Indiana, in Vanderburgh County, to 2856 North Old Highway 41, Vincennes, Indiana, in Knox County.

IDEM is reviewing these matters and will take appropriate action.

### Emission Calculations

See Appendix A of this document for detailed emission calculations.

### County Attainment Status

The source is located in Vigo County.

Pollutant	Designation
SO <sub>2</sub>	Non-attainment effective October 4, 2013, for the Fayette and Harrison Twp. Better than national standards for the remainder of the county..
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	Unclassifiable or attainment effective April 5, 2005, for the annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.

<sup>1</sup>Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.

- (a) Ozone Standards  
Volatile organic compounds (VOC) and Nitrogen Oxides (NO<sub>x</sub>) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO<sub>x</sub> emissions are considered when evaluating the rule applicability relating to ozone. Vigo County has

been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO<sub>x</sub> emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

- (b) **PM<sub>2.5</sub>**  
Vigo County has been classified as attainment for PM<sub>2.5</sub>. Therefore, direct PM<sub>2.5</sub>, SO<sub>2</sub>, and NO<sub>x</sub> emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (c) **Other Criteria Pollutants**  
Vigo County has been classified as attainment or unclassifiable in Indiana for PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>2</sub>, and CO. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

#### Fugitive Emissions

- (a) The fugitive emissions of criteria pollutants and hazardous air pollutants are counted toward the determination of 326 IAC 2-6.1 (Minor Source Operating Permits) applicability.
- (b) Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7, and there is no applicable New Source Performance Standard that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

#### Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Unrestricted Potential Emissions	
Pollutant	Tons/year
PM	37.07
PM <sub>10</sub>	11.77
PM <sub>2.5</sub>	4.91
SO <sub>2</sub>	-
NO <sub>x</sub>	-
VOC	-
CO	-
Single HAP	-
Total HAP	-

Appendix A of this TSD reflects the unrestricted potential emissions of the source.

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at [http://www.supremecourt.gov/opinions/13pdf/12-1146\\_4g18.pdf](http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf)) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's

decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHGs emissions to determine operating permit applicability or PSD applicability to a source or modification.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of all regulated pollutants is less than one hundred (100) tons per year. However, PM is equal to or greater than twenty-five (25) tons per year. The source is not subject to the provisions of 326 IAC 2-7. Therefore, the source will be issued an MSOP Renewal.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(30)) of any single HAP is less than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(30)) of a combination of HAPs is less than twenty-five (25) tons per year. Therefore, the source will be issued an MSOP Renewal.

### **Federal Rule Applicability**

#### Compliance Assurance Monitoring (CAM)

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is not included in the permit, because the unlimited potential to emit of the source is less than the Title V major source thresholds and the source is not required to obtain a Part 70 or Part 71 permit.

#### New Source Performance Standards (NSPS)

- (b) The requirements of the New Source Performance Standards for Compression Ignition Internal Combustion Engines, 40 CFR 60, Subpart IIII, are not included in the permit renewal for the one (1) diesel-fired 4SRB engine, identified as EN-1, because it was manufactured prior to July 11, 2005.
- (c) The requirements of the New Source Performance Standards for Nonmetallic Mineral Processing Plants, 40 CFR 60, Subpart OOO, are not included in the permit renewal for the portable concrete crushing plant, identified as CR-1, because it is a portable nonmetallic mineral processing plant with a maximum capacity of less than 150 tons per hour.
- (d) There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit for this source.

#### National Emission Standards for Hazardous Air Pollutants (NESHAP)

- (e) The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63.6580, Subpart ZZZZ (326 IAC 20-84), are not included in this permit renewal for the one (1) diesel-fired 4SRB engine, identified as EN-1, because it meets the definition of a nonroad engine, as defined in 40 CFR 1068.30, and is therefore not considered a stationary reciprocating internal combustion engine as defined in 40 CFR 63.6675.

Pursuant to 40 CFR 63.6675, stationary internal combustion engines (ICE) differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition). 40 CFR

1068.30 defines a non-road engine as any internal combustion engine that, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

However, 40 CFR 1068.30 also requires that a non-road engine, as defined in the previous paragraph, not remain at a site for more than twelve (12) consecutive months. Any engine (or engines) that replace the engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period. Additionally, 40 CFR 1068.30 defines a location as any single site at a building, structure, facility, or installation.

- (f) There are no other National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in this permit renewal.

<b>State Rule Applicability - Entire Source</b>
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326 IAC 1-6-3 (Preventive Maintenance Plan)

The source is subject to 326 IAC 1-6-3.

326 IAC 2-2 (Prevention of Significant Deterioration(PSD))

This source is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1). This source is not subject to the requirements of 326 IAC 2-2 (PSD) because the potential to emit all PSD regulated pollutants are less than two hundred fifty (250) tons per year and there have been no major modifications to the source. Therefore, this source is a minor source, pursuant to 326 IAC 2-2 (PSD).

326 IAC 2-6 (Emission Reporting)

This source is not subject to 326 IAC 2-6 (Emission Reporting) because it is not required to have an operating permit pursuant to 326 IAC 2-7 (Part 70); it is not located in Lake, Porter, or LaPorte County, and its potential to emit lead is less than five (5) tons per year. Therefore, this rule does not apply.

326 IAC 5-1 (Opacity Limitations)

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (1) 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, when the source is located in any county except Lake County or the areas specified below.
- (2) 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, when the source is located in the following areas listed in 326 IAC 5-1-1(c):
  - (A) Clark County (Jefferson Township - Cities of Jeffersonville, Clarksville, Oak Park);
  - (B) Dearborn County (Lawrenceburg Township - Cities of Lawrenceburg and Greendale);
  - (C) Dubois County (Bainbridge Township - the City of Jasper);

- (D) Marion County (except the area of Washington Township east of Fall Creek and the area of Franklin Township south of Thompson Road and east of Five Points Road);
  - (E) St. Joseph County (the area north of Kern Road and east of Pine Road);
  - (F) Vanderburgh County (the area included in the City of Evansville and Pigeon Township); and
  - (G) Vigo County (Indiana State University campus, 0.5km radius around UTM Easting 464,519.00, Northing 4,369,208.00, Zone 16).
- (3) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4, when the source is located in Lake County.
- (4) 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, when the source is located in any County.

326 IAC 6.5 (Particulate Matter Limitations Except Lake County)

When located in Clark, Deaborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne County, the source is subject to 326 IAC 6.5 (Particulate Matter Limitations Except Lake County) because its actual particulate matter emissions are greater than ten (10) tons/year. However, this source is not one of the sources specifically listed in 326 IAC 6.5-2 through 326 IAC 6.5-10. Therefore, the source is subject to 326 IAC 6.5-1-2 (Particulate Matter Limitations Except Lake County).

326 IAC 6.8 (Particulate Matter Limitations For Lake County)

When located in Lake County, the source is subject to 326 IAC 6.8 because its actual particulate matter emissions are greater than ten (10) tons/year. However, this source is not specifically listed in 326 IAC 6.8-4, 326 IAC 6.8-5, and 326 IAC 6.8-8 through 326 IAC 6.8-11. Therefore, the source is subject to 326 IAC 6.8-1-2 (Particulate Matter Limitations For Lake County).

326 IAC 6.8-10 (Lake County: Fugitive Particulate Matter)

When located in Lake County, the source will be subject to the conditions of this rule because it has potential fugitive particulate emissions greater than five (5) tons per year. Therefore, the particulate matter emissions from source wide activities shall meet the requirements of 326 IAC 6.8-10-3 (Particulate Matter Emission Limitations).

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), 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.

326 IAC 6-5 (Fugitive Particulate Matter Emissions Limitations)

This rule applies to the following:

- (1) Any source of fugitive particulate matter emissions located in nonattainment areas for particulate matter except for such a source located in Lake County which has potential fugitive particulate matter emissions of twenty-five (25) tons per year or more.
- (2) Any new source of fugitive particulate matter emissions, located anywhere in the state, requiring a permit as set forth in 326 IAC 2, which has not received all the necessary

preconstruction approvals before December 13, 1985. If any control measure established by this rule is inconsistent with an applicable control measure contained in 326 IAC 12, the more stringent measure shall apply.

The source has fugitive particulate emissions of greater than twenty-five (25) tons tons per year. Therefore, it is subject to 326 IAC 6-5. Pursuant to 326 IAC 6-5, fugitive particulate matter emissions shall be controlled according to the Fugitive Dust Control Plan, submitted on July 20, 2016, which is included as Attachment A to the permit.

### State Rule Applicability – Individual Facilities

Portable concrete crushing plant, identified as CR-1.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

When located in a county other than Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo, Wayne, or Lake County, the portable concrete crushing plant, identified as CR-1, will be subject to the conditions of this rule because it has potential particulate emissions greater than 0.551 pound per hour.

Pursuant to 326 IAC 6-3-2(e) (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emissions from the concrete crushing plant, identified as CR-1, shall not exceed 53.13 pounds per hour when operating at a process weight rate of 120 tons per hour.

The pound per hour limitation was calculated with the following equation:

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

CR-1 has potential particulate emissions, less than 50% of the allowable particulate emissions. Therefore, a control device is not necessary to comply with the requirements of 326 IAC 6-3-2 limit for this unit.

326 IAC 6.5 (Particulate Matter Limitations Except Lake County)

When located in Clark, Deaborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne County, the portable concrete crushing plant, identified as CR-1, will be subject to 326 IAC 6.5-1-2. Pursuant to 326 IAC 6.5-1-2(a) (Particulate Matter Limitations Except Lake County), the particulate matter emissions from the concrete crushing plant, identified as CR-1, shall not exceed three-hundredths (0.03) grain per dry standard cubic foot (dscf).

326 IAC 6.8 (Particulate Matter Limitations for Lake County)

When located in Lake County, the portable concrete crushing plant, identified as CR-1, will be subject to 326 IAC 6.8-1-2. Pursuant to 326 IAC 6.8-1-2(a) (Particulate Matter Limitations For Lake County), the particulate matter emissions from the concrete crushing plant, identified as CR-1, shall not exceed three-hundredths (0.03) grain per dry standard cubic foot (dscf).

### Recommendation

The staff recommends to the Commissioner that the MSOP Renewal be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on June 13, 2016. Additional information was received on July 21, 2016.

<b>Conclusion</b>
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The operation of this portable concrete crushing plant shall be subject to the conditions of the attached MSOP Renewal No. M167-37293-05354.

<b>IDEM Contact</b>
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- (a) Questions regarding this proposed permit can be directed to Donald McQuigg at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 234-4240 or toll free at 1-800-451-6027 extension 4-4240.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Permit Guide on the Internet at: <http://www.in.gov/idem/5881.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

**Appendix A: Emission Calculations  
Emissions Summary**

**Company Name: James Memering Excavating**  
**Address City IN Zip: 3527 Erie Canal Road, Terre Haute, Indiana 47802**  
**Operation Permit No.: M167-37293-05354**  
**Reviewer: Donald McQuigg**  
**Date: June 13, 2016**

Emission Units	Uncontrolled/Unlimited Potential to Emit (tons/year)								
	PM	PM10	PM2.5	SO2	NOx	VOC	CO	Single HAP	Total HAPs
Portable concrete crushing plant	11.01	4.13	4.126	-	-	-	-	-	-
Storage Piles	0.07	0.02	0.024	-	-	-	-	-	-
Unpaved Roads	25.99	7.62	0.762	-	-	-	-	-	-
<b>Total</b>	<b>37.07</b>	<b>11.77</b>	<b>4.91</b>	-	-	-	-	-	-

**Appendix A: Emission Calculations  
Portable Concrete Crushing Plant CR-1  
PM Potential Emissions**

**Company Name: James Memering Excavating  
Address City IN Zip: 3527 Erie Canal Road, Terre Haute, Indiana 47802  
Operation Permit No.: M167-37293-05354  
Reviewer: Donald McQuigg  
Date: June 13, 2016**

**1. Total Potential Particulate Matter (PM) Emissions**

Activity	Production Rate	Emission Factor	Hours/Year	Unit Conversion (1 ton/2000 lb)	PTE PM (tons/year)
CR-1 concrete crushing	120	5.40E-03	8760	2000	2.84
SC-1 separating screen	120	1.25E-02	8760	2000	6.57
CO-1 conveyor #1	120	1.50E-03	8760	2000	0.79
CO-2 conveyor #2	120	1.50E-03	8760	2000	0.79
U-1 truck unloading	120	5.00E-05	8760	2000	0.03
<b>Total Emissions Before Controls (tons/year) =</b>					<b>11.01</b>

Calculations based on AP-42, Fifth Edition, Chapter 11.19.2. Primary crushing value based on tertiary crushing from Table 11.19.2-2.

**Methodology**

Potential Emissions (tons/yr) = Production Rate (tons/hr) \* Emission Factor (lbs/ton) \* 8760 hours/1 year \* 1 ton/2000 lbs

**2. 326 IAC 6-3 Allowable PM Emissions**

Process Weight Rate (tons/hr)	Allowable PM Emissions (lbs/hr)
120	53.13

**Methodology**

326 IAC 6-3-2 Allowable Emissions (lbs/hr):

$$E = 55.0 P^{0.11} - 40$$

where E = rate of emission in pounds per hour and  
P = process weight rate in tons per hour

**Appendix A: Emission Calculations  
Portable Concrete Crushing Plant CR-1  
PM10/PM2.5 Potential Emissions**

**Company Name: James Memering Excavating  
Address City IN Zip: 3527 Erie Canal Road, Terre Haute, Indiana 47802  
Operation Permit No.: M167-37293-05354  
Reviewer: Donald McQuigg  
Date: June 13, 2016**

**1. Total Potential PM10/PM2.5 Emissions**

Activity	Production Rate	Emission Factor	Hours/Year	Unit Conversion (1 ton/2000 lb)	PTE PM10/PM2.5 (tons/year)
CR-1 concrete crushing	120	2.40E-03	8760	2000	1.26
SC-1 separating screen	120	4.30E-03	8760	2000	2.26
CO-1 conveyor #1	120	5.50E-04	8760	2000	0.29
CO-2 conveyor #2	120	5.50E-04	8760	2000	0.29
U-1 truck unloading	120	5.00E-05	8760	2000	0.03
<b>Total Emissions Before Controls (tons/year) =</b>					<b>4.13</b>

Calculations based on AP-42, Fifth Edition, Chapter 11.19.2. Primary crushing value based on tertiary crushing from Table 11.19.2-2.

**Methodology**

Potential Emissions (tons/yr) = Production Rate (tons/hr) \* Emission Factor (lbs/ton) \* 8760 hours/1 year \* 1 ton/2000 lbs

**Appendix A: Emissions Calculations  
Material Storage Piles  
Fugitive Particulate Emissions**

**Company Name:** James Memering Excavating  
**Address City IN Zip:** 3527 Erie Canal Road, Terre Haute, Indiana 47802  
**Operation Permit No.:** M167-37293-05354  
**Reviewer:** Donald McQuigg  
**Date:** June 13, 2016

The following calculations determine the amount of emissions created by wind erosion of storage stockpiles, based on 8,760 hours of use and USEPA's AP-42 (Pre 1983 Edition), Section 11.2.3.

$E_f = 1.7 * (s/1.5) * (365 - p) / 235 * (f/15)$ <p>where <math>E_f</math> = emission factor (lb/acre/day)  <math>s</math> = silt content (wt %)  <math>p</math> = <input type="text" value="125"/> days of rain greater than or equal to 0.01 inches  <math>f</math> = <input type="text" value="15"/> % of wind greater than or equal to 12 mph</p>
---

Material	Silt Content (wt %) <sup>a</sup>	Emission Factor (lb/acre/day)	Maximum Anticipated Pile Size (acres)	PTE of PM (tons/yr)	PTE of PM10 (tons/yr)	PTE of PM2.5 (tons/yr)
RAP	1.6	1.85	0.10	0.034	0.012	0.012
<b>Totals (1 pile)</b>				<b>0.03</b>	<b>0.01</b>	<b>0.01</b>
<b>Totals (2 piles)</b>				<b>0.07</b>	<b>0.02</b>	<b>0.02</b>

**Methodology**

Limited PTE of PM (tons/yr) = [Emission Factor (lb/acre/day)] \* [Maximum Pile Size (acres)] \* (ton/2000 lbs) \* (8760 hours/yr)

Limited PTE of PM10 (tons/yr) = [Potential PM Emissions (tons/yr)] \* 35%

PM10 = PM2.5

<sup>a</sup>Silt content values obtained from AP-42 value for Limestone, Table 13.2.4-1 (dated 11/2006)

**Abbreviations**

PM = Particulate Matter

PM10 = Particulate Matter (<10 um)

PTE = Potential to Emit

**Appendix A: Emission Calculations  
Fugitive Dust Emissions - Unpaved Roads**

**Company Name: James Memering Excavating  
Address City IN Zip: 3527 Erie Canal Road, Terre Haute, Indiana 47802  
Permit Number: M167-37293-05354  
Reviewer: Donald McQuigg  
Date: June 13, 2016**

**Unpaved Roads at Industrial Site**

The following calculations determine the amount of emissions created by unpaved roads, based on 8,760 hours of use and AP-42, Ch 13.2.2 (11/2006).

Vehicle Information (provided by source)

Type	Maximum number of vehicles	Number of one-way trips per day per vehicle	Maximum trips per day (trip/day)	Maximum Weight Loaded (tons/trip)	Total Weight driven per day (ton/day)	Maximum one-way distance (feet/trip)	Maximum one-way distance (mi/trip)	Maximum one-way miles (miles/day)	Maximum one-way miles (miles/yr)
Vehicle (entering plant) (one-way trip)	3.0	48.0	144.0	38.0	5472.0	300	0.057	8.2	2986.4
Vehicle (leaving plant) (one-way trip)	3.0	48.0	144.0	38.0	5472.0	300	0.057	8.2	2986.4
<b>Total</b>			<b>288.0</b>		<b>10944.0</b>			<b>16.4</b>	<b>5972.7</b>

Average Vehicle Weight Per Trip =  tons/trip  
Average Miles Per Trip =  miles/trip

Unmitigated Emission Factor,  $E_f = k \cdot [(s/12)^a] \cdot [(W/3)^b]$  (Equation 1a from AP-42 13.2.2)

	PM	PM10	PM2.5	
where k =	4.9	1.5	0.15	lb/mi = particle size multiplier (AP-42 Table 13.2.2-2 for Industrial Roads)
s =	9.7	9.7	9.7	% = mean % silt content of unpaved roads (AP-42 Table 13.2.2-1 Sand/Gravel Processing Plant)
a =	0.7	0.9	0.9	= constant (AP-42 Table 13.2.2-2 for Industrial Roads)
W =	38.0	38.0	38.0	tons = average vehicle weight (provided by source)
b =	0.45	0.45	0.45	= constant (AP-42 Table 13.2.2-2 for Industrial Roads)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor,  $E_{ext} = E \cdot [(365 - P)/365]$  (Equation 2 from AP-42 13.2.2)

Mitigated Emission Factor,  $E_{ext} = E \cdot [(365 - P)/365]$   
where P =  days of rain greater than or equal to 0.01 inches (see Fig. 13.2.2-1)

	PM	PM10	PM2.5	
Unmitigated Emission Factor, $E_f =$	13.23	3.88	0.39	lb/mile
Mitigated Emission Factor, $E_{ext} =$	8.70	2.55	0.26	lb/mile
Dust Control Efficiency =	50%	50%	50%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Unmitigated PTE of PM (tons/yr)	Unmitigated PTE of PM10 (tons/yr)	Unmitigated PTE of PM2.5 (tons/yr)	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM10 (tons/yr)	Mitigated PTE of PM2.5 (tons/yr)	Controlled PTE of PM (tons/yr)	Controlled PTE of PM10 (tons/yr)	Controlled PTE of PM2.5 (tons/yr)
Vehicle (entering plant) (one-way trip)	19.76	5.80	0.58	12.99	3.81	0.38	6.50	1.91	0.19
Vehicle (leaving plant) (one-way trip)	19.76	5.80	0.58	12.99	3.81	0.38	6.50	1.91	0.19
	<b>39.52</b>	<b>11.59</b>	<b>1.16</b>	<b>25.99</b>	<b>7.62</b>	<b>0.76</b>	<b>12.99</b>	<b>3.81</b>	<b>0.38</b>

**Methodology**

Total Weight driven per day (ton/day) = [Maximum Weight Loaded (tons/trip)] \* [Maximum trips per day (trip/day)]  
Maximum one-way distance (mi/trip) = [Maximum one-way distance (feet/trip)] / [5280 ft/mile]  
Maximum one-way miles (miles/day) = [Maximum trips per year (trip/day)] \* [Maximum one-way distance (mi/trip)]  
Average Vehicle Weight Per Trip (ton/trip) = SUM[Total Weight driven per day (ton/day)] / SUM[Maximum trips per day (trip/day)]  
Average Miles Per Trip (miles/trip) = SUM[Maximum one-way miles (miles/day)] / SUM[Maximum trips per year (trip/day)]  
Unmitigated PTE (tons/yr) = (Maximum one-way miles (miles/yr)) \* (Unmitigated Emission Factor (lb/mile)) \* (ton/2000 lbs)  
Mitigated PTE (tons/yr) = (Maximum one-way miles (miles/yr)) \* (Mitigated Emission Factor (lb/mile)) \* (ton/2000 lbs)  
Controlled PTE (tons/yr) = (Mitigated PTE (tons/yr)) \* (1 - Dust Control Efficiency)

**Abbreviations**

PM = Particulate Matter  
PM10 = Particulate Matter (<10 um)  
PM2.5 = Particulate Matter (<2.5 um)  
PTE = Potential to Emit



# 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](http://www.idem.IN.gov)

**Michael R. Pence**  
Governor

**Carol S. Comer**  
Commissioner

August 8, 2016

Mr. James Memering  
James Memering Excavating  
3527 Erie Canal Road  
Terre Haute, Indiana 47802

Re: Public Notice  
James Memering Excavating  
Permit Level: MSOP - Renewal  
Permit Number: 167-37293-05354

Dear Mr. Memering:

Enclosed is a copy of your draft MSOP - Renewal, Technical Support Document, emission calculations, and the Public Notice which will be printed in your local newspaper.

The Office of Air Quality (OAQ) has prepared two versions of the Public Notice Document. The abbreviated version will be published in the newspaper, and the more detailed version will be made available on the IDEM's website and provided to interested parties. Both versions are included for your reference. The OAQ has requested that the Tribune Star in Terre Haute, Indiana publish the abbreviated version of the public notice no later than August 10, 2016. You will not be responsible for collecting any comments, nor are you responsible for having the notice published in the newspaper.

OAQ has submitted the draft permit package to the, Vigo County Public Library in Terre Haute, Indiana. As a reminder, you are obligated by 326 IAC 2-1.1-6(c) to place a copy of the complete permit application at this library no later than ten (10) days after submittal of the application or additional information to our department. We highly recommend that even if you have already placed these materials at the library, that you confirm with the library that these materials are available for review and request that the library keep the materials available for review during the entire permitting process.

Please review the enclosed documents carefully. This is your opportunity to comment on the draft permit and notify the OAQ of any corrections that are needed before the final decision. Questions or comments about the enclosed documents should be directed to Donald McQuigg, Indiana Department of Environmental Management, Office of Air Quality, 100 N. Senate Avenue, Indianapolis, Indiana, 46204 or call (800) 451-6027, and ask for extension 4-4240 or dial (317) 234-4240.

Sincerely,

*Vicki Biddle*

Vicki Biddle  
Permits Branch  
Office of Air Quality

Enclosures  
PN Applicant Cover letter 2/17/2016



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*Commissioner*

## **ATTENTION: PUBLIC NOTICES, LEGAL ADVERTISING**

August 8, 2016

Tribune Star  
P. O. Box 149  
Terre Haute, Indiana 47808

Enclosed, please find one Indiana Department of Environmental Management Notice of Public Comment for James Memering Excavating, Vigo County, Indiana.

Since our agency must comply with requirements which call for a Notice of Public Comment, we request that you print this notice one time, no later than August 10, 2016.

Please send a notarized form, clippings showing the date of publication, and the billing to the Indiana Department of Environmental Management, Accounting, Room N1345, 100 North Senate Avenue, Indianapolis, Indiana, 46204.

**To ensure proper payment, please reference account # 100174737.**

We are required by the Auditor's Office to request that you place the Federal ID Number on all claims. If you have any conflicts, questions, or problems with the publishing of this notice or if you do not receive complete public notice information for this notice, please call Vicki Biddle at 800-451-6027 and ask for extension 3-6867 or dial 317-233-6867.

Sincerely,

*Vicki Biddle*

Vicki Biddle  
Permit Branch  
Office of Air Quality

Permit Level: MSOP - Renewal  
Permit Number: 167-37293-05354

Enclosure

PN Newspaper.dot 2/17/2016



# Indiana Department of Environmental Management

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**Michael R. Pence**  
*Governor*

**Carol S. Comer**  
*Commissioner*

August 8, 2016

To: Vigo County Public Library

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

Subject: **Important Information to Display Regarding a Public Notice for an Air Permit**

**Applicant Name: James Memering Excavating**  
**Permit Number: 167-37293-05354**

Enclosed is a copy of important information to make available to the public. This proposed project is regarding a source that may have the potential to significantly impact air quality. Librarians are encouraged to educate the public to make them aware of the availability of this information. The following information is enclosed for public reference at your library:

- Notice of a 30-day Period for Public Comment
- Request to publish the Notice of 30-day Period for Public Comment
- Draft Permit and Technical Support Document

You will not be responsible for collecting any comments from the citizens. Please refer all questions and request for the copies of any pertinent information to the person named below.

Members of your community could be very concerned in how these projects might affect them and their families. **Please make this information readily available until you receive a copy of the final package.**

If you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185. Questions pertaining to the permit itself should be directed to the contact listed on the notice.

Enclosures  
PN Library.dot 2/16/2016



# Indiana Department of Environmental Management

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**Michael R. Pence**  
Governor

**Carol S. Comer**  
Commissioner

## Notice of Public Comment

**August 8, 2016**  
**James Memering Excavating**  
**167-37923-05354**

Dear Concerned Citizen(s):

You have been identified as someone who could potentially be affected by this proposed air permit. The Indiana Department of Environmental Management, in our ongoing efforts to better communicate with concerned citizens, invites your comment on the draft permit.

Enclosed is a Notice of Public Comment, which has been placed in the Legal Advertising section of your local newspaper. The application and supporting documentation for this proposed permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.

If you would like to comment on this draft permit, please contact the person named in the enclosed Public Notice. Thank you for your interest in the Indiana's Air Permitting Program.

**Please Note:** *If you feel you have received this Notice in error, or would like to be removed from the Air Permits mailing list, please contact Patricia Pear with the Air Permits Administration Section at 1-800-451-6027, ext. 3-6875 or via e-mail at [PPEAR@IDEM.IN.GOV](mailto:PPEAR@IDEM.IN.GOV). If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure  
PN AAA Cover.dot 2/17/2016

# Mail Code 61-53

IDEM Staff	VBIDDLE 8/8/2016 James Memering Excavating 167-37293-05354 DRAFT			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		James Memering James Memering Excavating 2856 N Old Highway 41 Vincennes IN 47591 (Source CAATS)										
2		Vigo County Board of Commissioners County Annex, 121 Oak Street Terre Haute IN 47807 (Local Official)										
3		Terre Haute City Council and Mayors Office 17 Harding Ave Terre Haute IN 47807 (Local Official)										
4		Vigo County Health Department 147 Oak Street Terre Haute IN 47807 (Health Department)										
5		Vigo Co Public Library 1 Library Square Terre Haute IN 47807-3609 (Library)										
6		J.P. Roehm PO Box 303 Clinton IN 47842 (Affected Party)										
7		Tom Angermeier ESA Corporation 3214 Allens Lane Evansville IN 47720 (Consultant)										
8		ECR Properties, LLC 3501 Erie Canal Road Terre Haute IN 47802 (Affected Party)										
9		Buell Properties, LLC PO Box 132 Staunton IN 47881 (Affected Party)										
10		Donald Garvin 3655 S 14 1/2 Street Terre Haute IN 47802 (Affected Party)										
11		MBS Development, LLC 50 S 11th Street Terre Haute IN 47807 (Affected Party)										
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