

**FEDERALLY ENFORCEABLE STATE  
OPERATING PERMIT (FESOP)  
OFFICE OF AIR MANAGEMENT  
and  
INDIANAPOLIS ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
AIR QUALITY MANAGEMENT SECTION**

**E & B Paving, Inc.  
4350 S. Harding Street  
Indianapolis, IN 46217**

(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 in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 and 326 IAC 2-1-3.2, as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F097-7775-00131	
Issued by: Dr. Robert Holm, Administrator Environmental Resources Management Division	Issuance 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 Management (OAM) and the Indianapolis Environmental Resources Management Division (ERMD), and presented in the permit application.

### A.1 General Information [326 IAC 2-8-3(b)]

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The Permittee owns and operates a portable hot drum-mix asphalt plant fired primarily on natural gas with #2 fuel oil as backup. The burner for this unit is rated at 150 MMBtu/hr and the plant has a maximum output of 350 tons of asphalt per hour.

Responsible Official:	Steve Henderson
Current Source Address:	4350 S. Harding Street, Indianapolis, IN 46217
Mailing Address:	5342 Elmwood, Suite A, Indianapolis, IN 46203
SIC Code:	2951
County Location:	Marion County
County Status:	Nonattainment for PM
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source under PSD and Emission Offset Rules

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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

- (a) One (1) drum mix asphalt plant (Unit ID 2) with a maximum rated capacity of 350 tons per hour, equipped with one (1) 150 MM BTU/Hr burner (Unit ID 3): The primary fuel source is natural gas with No. 2 distillate fuel oil as a back up fuel. Particulate emissions are controlled by one (1) horizontal cyclone, and one (1) jet pulse baghouse rated at 68,145 acfm, and exhausting at stack 1.

### A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

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This portable source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (1) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu/hr.
  - (a) One (1) Heatec hot oil heater, fired by natural gas and rated at 2.353 MMBTU/hr. The heater exhausts at stack/vent SV-2.
- (2) Propane or liquified petroleum gas, or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu/hr.
- (3) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu/hr and firing fuel containing less than five-tenths (0.5) percent.
- (4) Combustion source flame safety purging on startup.
- (5) A gasoline fuel transfer and dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day, such as filling of tanks, locomotives, automobiles, having storage capacity less than or equal to ten thousand five hundred (10,500) gallons.

- (6) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to ten thousand five hundred (10,500) gallons, and dispensing less than or equal to two hundred thousand (230,000) gallons per month.
- (7) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (8) Application of oils, greases, lubricants or other nonvolatile materials applied as temporary protective coatings.
- (9) Cleaners and solvents characterized as follows:
  - (a) having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38°C (100°F) or;
  - (b) having a vapor pressure equal to or less than 0.7 kPa; 5 mm Hg; or 0.1 psi measured at 20°C(68°F); the use of which for all cleaners and solvents combined does not exceed one hundred forty-five (145) gallons per twelve (12) months.
- (10) Closed loop heating and cooling systems.
- (11) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- (12) A laboratory as defined in 326 IAC 2-7-1(20)(C).
  - a) Materials Testing Lab
- (13) One (1) 30,000 gallon VOL Storage Tanks, maximum true vapor pressure less than 15.0 kPa.
- (14) One (1) 24,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa.
- (15) One (1) 10,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa.

A.4 FESOP Applicability [326 IAC 2-8-2]

This portable source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) and the Indianapolis Environmental Resources Management Division (ERMD) for a Federally Enforceable State Operating Permit (FESOP).

A.5 Prior Permit Conditions Superseded [326 IAC 2]

The terms and conditions of this permit incorporate all the current applicable requirements for all emission units located at this source and supersede all terms and conditions in all registrations and permits, including construction permits, issued prior to the date of issuance of this permit. All terms and conditions in such registrations and permits are no longer in effect.

## **SECTION B                    GENERAL CONDITIONS**

### **B.1      Permit No Defense [326 IAC 2-1-10] [IC 13]**

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 FESOP under 326 IAC 2-8.

### **B.2      Definitions [326 IAC 2-8-1]**

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, any applicable definitions found in IC 13-11, 326 IAC 1-2, and 326 IAC 2-7 shall prevail.

### **B.3      Permit Term [326 IAC 2-8-4(2)]**

This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.

### **B.4      Enforceability [326 IAC 2-8-6]**

- (a) All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM and ERMD.
- (b) Unless otherwise stated, terms and conditions of this permit, including any provisions to limit the source's potential to emit, are enforceable by the United States Environmental Protection Agency (U.S. EPA) and citizens under the Clean Air Act.
- (c) All terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by ERMD.

### **B.5      Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]**

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 nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

### **B.6      Severability [326 IAC 2-8-4(4)]**

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.7      Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]**

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

### **B.8      Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]**

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Permits  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

- (b) The Permittee shall furnish to IDEM, OAM, and ERMD within a reasonable time, any information that IDEM, OAM, and ERMD 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.
- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, and ERMD copies of records required to be kept by this permit. For information claimed to be confidential, the Permittee shall furnish such records to IDEM, OAM, and ERMD along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, the Permittee shall furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.

B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAM and ERMD may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit constitutes a violation of the Clean Air Act and is grounds for:
  - (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; and
  - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this permit, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, on the attached Certification Form, with each submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

- (b) The annual compliance certification report 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, OAM, and ERMD on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
  - (5) Such other facts as specified in Sections D of this permit, IDEM, OAM, and ERMD may require to determine the compliance status of the source.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, including the following information on each:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission units and associated emission control devices;
  - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions;

- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that lack of proper maintenance does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) PMP's shall be submitted to IDEM, OAM, and ERMD upon request and shall be subject to review and approval by IDEM, OAM, and ERMD.

B.14 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:
  - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAM and ERMD, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

IDEM, OAM

Telephone No.: 1-800-451-6027 (ask for Office of Air Management, Compliance Section) or,

Telephone No.: 317-233-5674 (ask for Compliance Section)

Facsimile No.: 317-233-5967

ERMD

Telephone No.: 317-327-2234

Facsimile No.: 317-327-2274

Failure to notify IDEM, OAM and ERMD, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted notice either in writing or facsimile, of the emergency to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(33).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM and ERMD, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM and ERMD, by telephone or facsimile of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

- (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
- (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

within ten (10) calendar days from the date of the discovery of the deviation.

- (b) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent.
- (c) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM and ERMD determines any of the following:
  - (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]

- (c) Proceedings by IDEM, OAM and ERMD, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM and ERMD, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM and ERMD, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM and ERMD and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, IN 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Permits  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

- (b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]
  - (1) A timely renewal application is one that is:
    - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
    - (B) 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, OAM, and ERMD on or before the date it is due. [326 IAC 2-5-3]
  - (2) If IDEM, OAM and ERMD upon receiving a timely and complete 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.

- (c) Right to Operate After Application for Renewal [326 IAC 2-8-9]  
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 2-8 until IDEM, OAM and ERMD 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 in writing by IDEM, OAM and ERMD, any additional information identified as needed to process the application.

**B.18 Administrative Permit Amendment [326 IAC 2-8-10]**

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- (a) An administrative permit amendment is a FESOP revision that makes changes of the type specified under 326 IAC 2-8-10(a).
- (b) An administrative permit amendment may be made by IDEM, OAM and ERMD, consistent with the procedures specified under 326 IAC 2-8-10(b).
- (c) The Permittee may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

**B.19 Minor Permit Modification [326 IAC 2-8-11(a)] [326 IAC 2-8-11(b)(1) and (2)]**

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- (a) A permit modification is any revision to this permit that cannot be accomplished as an administrative permit amendment under 326 IAC 2-8-10.
- (b) Minor modification of this permit shall follow the procedures specified under 326 IAC 2-8-11(b)(1)(A) through (F), except as provided by 326 IAC 2-8-11(c).
- (c) An application requesting the use of minor modification procedures shall meet the requirements of 326 IAC 2-8-3(c) and shall include the information required in 326 IAC 2-8-11(b)(3)(A) through (D).
- (d) The Permittee may make the change proposed in its minor permit modification application immediately after it files such application provided that the change has received any approval required by 326 IAC 2-1. After the Permittee makes the change allowed under minor permit modification procedures, and until IDEM, OAM, and ERMD takes any of the actions specified in 326 IAC 2-8-11(b)(5), the Permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the Permittee need not comply with the existing permit terms and conditions it seeks to modify. If the Permittee fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. [326 IAC 2-8-11(b)(6)]

**B.20 Significant Permit Modification [326 IAC 2-8-11(d)]**

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- (a) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments.
- (b) Any significant change in existing monitoring permit terms or conditions and every relaxation of reporting or record keeping permit terms or conditions of this permit shall be considered significant.

- (c) Nothing in 326 IAC 2-8-11(d) shall be construed to preclude the Permittee from making changes consistent with 326 IAC 2-8 that would render existing permit compliance terms and conditions irrelevant.
- (d) Significant modifications of this permit shall meet all requirements of 326 IAC 2-8, including those for application, public participation, review by affected states and review by U.S. EPA, as they apply to permit issuance and renewal.

B.21 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-8-11(b)(2)]

Notwithstanding 326 IAC 2-8-11(b)(1)(D)(i) and 326 IAC 2-8-11(c)(1), minor permit modification procedures may be used for modifications of this permit involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches to the extent that such minor permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated by U.S. EPA.

B.22 Changes Under Section 502(b)(10) of the Clean Air Act [326 IAC 2-8-15(b)]

The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a) and the following additional condition:

For each such change, the required written notification shall include a brief description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

B.23 Operational Flexibility [326 IAC 2-8-15]

(a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-1 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Permits  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAM and ERMD, in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

- (b) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
  - (1) A brief description of the change within the source;
  - (2) The date on which the change will occur;
  - (3) Any change in emissions; and
  - (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(33).

- (c) Emission Trades [326 IAC 2-8-15(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (d) Alternative Operating Scenarios [326 IAC 2-8-15(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAM or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

**B.24 Construction Permit Requirement [326 IAC 2]**

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Except as allowed by Indiana P.L. 130-1996 Section 12, as amended by P.L. 244-1997, modification, construction, or reconstruction shall be approved as required by and in accordance with 326 IAC 2.

B.25 Inspection and Entry [326 IAC 2-8-5(a)(2)]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, the Permittee shall allow IDEM, OAM and ERMD, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.  
[326 IAC 2-8-5(a)(4)]

B.26 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-8-10]

Pursuant to 326 IAC 2-1-6 and 2-8-10:

- (a) In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAM, Permits Branch and ERMD, within thirty (30) days of the change. Notification shall include a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current Permittee and the new owner.
- (b) The written notification shall be sufficient to transfer the permit to the new owner by an administrative amendment pursuant to 326 IAC 2-8-10.
- (c) IDEM, OAM and ERMD shall reserve the right to issue a new permit.

B.27 Annual Fee Payment [326 IAC 2-8-4(6)] [326 IAC 2-8-16]

- (a) The Permittee shall pay annual fees to IDEM, OAM, and ERMD, within thirty (30) calendar days of receipt of a billing, or in a time period consistent with the fee schedule established in 326 IAC 2-8-16.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) If the Permittee does not receive a bill from IDEM, OAM, thirty (30) calendar days before the due date, the Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee. The applicable fee is due April 1 of each year.

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

### Emissions Limitations and Standards [326 IAC 2-8-4(1)]

#### C.1 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant from the entire source shall be limited to less than one-hundred (100) tons per three hundred sixty-five (365) consecutive day period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable.
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per three hundred sixty-five (365) consecutive day period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per three hundred sixty-five (365) consecutive day period.

(b) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(c) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

#### C.2 Opacity [326 IAC 5-1] and [40 CFR 60.90]

Pursuant to 326 IAC 5-1-2 (Visible Emissions Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions shall meet the following, unless otherwise stated in this permit:

- (a) Visible emissions shall not exceed an average of thirty percent (30%) opacity in twenty-four (24) consecutive readings as determined by 326 IAC 5-1-4,
- (b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.

This limit is superceded by a 20 percent (20%) opacity limitation under 40 CFR 60.90 Subpart I. Compliance with this limit will also satisfy 326 IAC 5-1.

#### C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

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. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on December 13, 1998. The fugitive dust control plan consist of:

1. Fugitive particulate matter (dust) emissions from interior roads and parking lots shall be controlled by one or more of the following measures:
  - A. Paving with asphalt
  - B. Treating with emulsified asphalt on an as needed basis.
  - C. Treating with Calcium Chloride on an as needed basis.
  - D. Treating with water on an as needed basis.
2. Fugitive particulate matter (dust) emissions from aggregate stockpiles shall be controlled by one or more of the following measures:
  - A. Clean and maintain stockpile areas.
  - B. Treating around the stockpile areas with water on an as needed basis.
  - C. Treating the stockpiles with water on an as needed basis.
3. Fugitive particulate matter (dust) emissions from the transferring of aggregates shall be controlled by treating with water on an as needed basis.
4. Fugitive particulate matter (dust) emissions from the transferring of aggregates shall be controlled by one or more of the following measures:
  - A. Locate stockpiles as close as possible to feed bins.
  - B. Limit transfer points to three foot drops or less.
  - C. Apply water on an as needed basis.
5. Fugitive particulate matter (dust) emissions from the transporting of aggregates shall be controlled by one or more of the following measures:
  - A. Tarping the aggregate hauling vehicles.
  - B. Insure tailgates are tight and do not leak.
  - C. Maintain a 10 MPH speed limit on site.
6. Fugitive particulate matter (dust) emissions from the loading and unloading of aggregates shall be controlled by one or more of the following measures:
  - A. Limit free fall distance.
  - B. Limit the rate of discharge of the aggregate.
  - C. Apply water on an as the needed basis.

7. Material Handling Operations:

- A. The size of the aggregate stockpiles will vary. Materials delivered to the plant site will be kept reasonably balanced with plant production. The actual drying and mixing of the aggregate mixture is done inside the asphalt plant. Emissions are controlled, at this point, by plant dust control systems.

C.7 Operation of Equipment [326 IAC 2-8-5(a)(4)]

All air pollution control equipment listed in this permit shall be operated at all times that the emission unit(s) vented to the control equipment is (are) in operation, as described in Section D of this permit.

C.8 Stack Height [326 IAC 1-7]

- (a) The Permittee shall comply with the provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.
- (b) Any change in an applicable stack shall require prior approval from IDEM, OAM.

C.9 Asbestos Abatement Projects - Accreditation [326 IAC 14-10] [326 IAC 18]  
[40 CFR 61, Subpart M]

Prior to the commencement of any demolition or renovation activities, the Permittee shall use an Indiana accredited asbestos inspector to inspect thoroughly the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos containing material. The requirement that the inspector be accredited is federally enforceable.

**Testing Requirements [326 IAC 2-8-4(3)]**

C.10 Performance Testing [326 IAC 3-2.1]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-2.1 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing methods approved by the IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

no later than thirty-five (35) days before the intended test date.

- (b) All test reports must be received by IDEM, OAM and ERMD within forty-five (45) days after the completion of the testing. An extension may be granted by the Commissioner, if the source submits to IDEM, OAM and ERMD, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]**

#### **C.11 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]**

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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 no more than ninety (90) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall notify:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

in writing no more than ninety (90) days after receipt of this permit, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

#### **C.12 Maintenance of Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]**

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- (a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.
- (b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

#### **C.13 Monitoring Methods [326 IAC 3]**

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Any monitoring or testing performed to meet the requirements of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.

C.14 Pressure Gauge Specifications

Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.

C.15 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18-1] [40 CFR 61.140]

- (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 insure 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
  - (3) 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  
Asbestos Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Asbestos  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are mandatory 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) **Indiana Accredited 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 Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

**Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]**

**C.16 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]**

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If a regulated substance, subject to 40 CFR 68, is present in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:

- (a) **Submit:**
  - (1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
  - (2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and
  - (3) A verification to IDEM, OAM, and ERMD that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.
  
- (b) Provide annual certification to IDEM, OAM, and ERMD that the Risk Management Plan is being properly implemented.

**C.17 Compliance Monitoring Plan - Failure to Take Corrective Action [326 IAC 2-8-4(3)]**

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- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
  - (1) This condition;
  - (2) The Compliance Determination Requirements in Section D of this permit;
  - (3) The Compliance Monitoring Requirements in Section D of this permit;
  - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and

- (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM and ERMD upon request and shall be subject to review and approval by IDEM, OAM, and ERMD. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of :
  - (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
  - (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.
- (c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:
  - (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;
  - (3) An automatic measurement was taken when the process was not operating; or
  - (4) The process has already returned to operating within "normal" parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

**C.18 Actions Related to Noncompliance Demonstrated by a Stack Test**

- (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 take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.

### **Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]**

#### **C.19 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]**

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- (a) The Permittee shall submit a certified, annual emission statement that meets the requirements of 326 IAC 2-6 (Emission Reporting). This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

- (b) The annual emission statement 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, OAM, and ERMD on or before the date it is due.

#### **C.20 Monitoring Data Availability**

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- (a) With the exception of performance tests conducted in accordance with Section C-Performance Testing all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.
- (b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.
- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.

- (e) At its discretion, IDEM and ERMD may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.
- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements in (a) above.

C.21 General Record Keeping Requirements [326 IAC 2-8-4(3)(B)]

- (a) Records of all required monitoring data and support information 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 kept at the source location and available within one (1) hour upon verbal request of an IDEM, OAM and ERMD representative, for a minimum of three (3) years. They may be stored elsewhere for the remaining two (2) years providing they are made available within thirty (30) days after written request.
- (b) Records of required monitoring information shall include, where applicable:
  - (1) The date, place, and time of sampling or measurements;
  - (2) The dates analyses were performed;
  - (3) The company or entity performing the analyses;
  - (4) The analytic techniques or methods used;
  - (5) The results of such analyses; and
  - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where applicable:
  - (1) Copies of all reports required by this permit;
  - (2) All original strip chart recordings for continuous monitoring instrumentation;
  - (3) All calibration and maintenance records;
  - (4) Records of preventive maintenance shall be sufficient to demonstrate that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.
- (d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.22 General Reporting Requirements [326 IAC 2-8-4(3)(C)]

- (a) To affirm that the source has met all the requirements stated in this permit the source shall submit a Quarterly Compliance Report. Any deviation from the requirements and the date(s) of each deviation must be reported.
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015
- and
- Environmental Resources Management Division  
Air Quality Management Section, Compliance Data  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221
- (c) 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, OAM, and ERMD on or before the date it is due.
- (d) Unless otherwise specified in this permit, any semi-annual report shall be submitted within thirty (30) days of the end of the reporting period.
- (e) All instances of deviations must be clearly identified in such reports. A reportable deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
  - (2) An emergency as defined in 326 IAC 2-7-1(12); or
  - (3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.
  - (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.
- A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred or failure to monitor or record the required compliance monitoring is a deviation.
- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.

- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

### **Portable Source Requirement**

#### **C.23 Relocation of Portable Sources [326 IAC 2-1-6(b)]**

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- (a) This permit is approved for operation in all areas of Indiana except severe nonattainment areas for ozone, (i.e. Lake and Porter Counties). This determination is based on the requirements Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A thirty (30) day advance notice of relocation must be given to IDEM, OAM and a "Relocation Site Approval" letter must be obtained before relocating.
- (b) The Permittee shall also notify the applicable local air pollution control agency when relocating to or from one of the following:
- (1) Madison County - (Anderson Office of Air Management)
  - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
  - (3) City of Gary - (Gary Division of Air Pollution)
  - (4) City of Hammond - (Hammond Department of Environmental Management)
  - (5) Marion County - (Indianapolis Air Pollution Control Agency)
  - (6) St. Joseph County - (St. Joseph County Health Department)
  - (7) Vigo County - (Vigo County Air Pollution Department)
- (c) That a valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

#### **C.24 Compliance with 40 CFR 82 and 326 IAC 22-1**

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Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156
- (b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

## SECTION D.1 FACILITY OPERATION CONDITIONS

One (1) drum mix asphalt plant (Unit ID 2) with a maximum rated capacity of 350 tons per hour, equipped with one (1) 150 MM BTU/Hr drum mixer/burner (Unit ID 3): The primary fuel source is natural gas with No. 2 distillate fuel oil as a back up fuel. Particulate emissions are controlled by one (1) horizontal cyclone, and one (1) jet pulse baghouse rated at 68,145 acfm, and exhausting at stack 1.

### Emission Limitations and Standards [326 IAC 2-8-4(1)]

#### D.1.1 Nitrogen Oxides (NO<sub>x</sub>)-Emission Limitations [326 IAC 2-8-4(1)]

Pursuant to 326 IAC 2-8-4, the input usage of natural gas in the drum mixer/burner (unit ID 3) shall be limited to 326.3 MMCF per twelve month period, rolled on a monthly basis.

The total combustion of natural gas in the drum mixer/burner shall be limited during the first year of operation under this permit to the following monthly levels:

<u>MONTH</u>	<u>USAGE LIMIT (MM CU FT/ MONTH)</u>
JANUARY	2.05
FEBRUARY	2.05
MARCH	2.46
APRIL	15.60
MAY	22.59
JUNE	35.10
JULY	39.60
AUGUST	63.19
SEPTEMBER	61.76
OCTOBER	39.94
NOVEMBER	29.96
DECEMBER	12.00

For purposes of determining compliance for Oxides of Nitrogen emissions, every 1000 gallons of No. 2 distillate fuel oil shall be equivalent to 0.0364 MMCF of natural gas. This limit is equivalent to nitrogen oxides emissions of 89 tons per twelve month period, rolled on a monthly basis. Due to the above limits, the Prevention of Significant Deterioration (40 CFR 52.21) rules and the Part 70 Permit Program (326 IAC 2-7) rules do not apply.

#### D.1.2 Sulfur Dioxide (SO<sub>2</sub>)-Emission Limitations [326 IAC 7-1.1-2, 2-8-4(1)]

Pursuant to 326 IAC 7-1.1-2, and 326 IAC 2-8-4(1) the sulfur dioxide emissions shall be limited as follows;

- b) When using No. 2 distillate fuel oil the SO<sub>2</sub> emissions from the 150 MMBTU drum mixer/burner shall be limited to 0.50 pounds per million BTU heat input, or a sulfur content of less than or equal to 0.50 percent by weight. This limit satisfies the requirements of 326 IAC 7-1.1-2.

- c) The total usage of No.2 distillate in the drum mixer/burner (unit ID 3) shall be limited to 2,468,900 gallons per twelve month period, rolled on a monthly basis. The total combustion of No.2 distillate oil in the drum mixer/burner during the first year of operation under this permit shall be limited to the following monthly levels:

MONTH	USAGE LIMIT (GALLONS PER MONTH)
JANUARY	15,000
FEBRUARY	15,000
MARCH	17,900
APRIL	116,000
MAY	166,000
JUNE	285,000
JULY	310,000
AUGUST	475,000
SEPTEMBER	475,000
OCTOBER	285,000
NOVEMBER	225,000
DECEMBER	84,000

- d) For purposes of determining compliance with the Sulfur Dioxide emissions, every million cubic feet of natural gas shall be equivalent to 0.0084 kgals of distillate oil. This limit is equivalent to sulfur dioxide emissions of 93 tons per twelve month period, rolled on a monthly basis.

Due to the above limits, the Part 70 Permit Program (326 IAC 2-7) rules do not apply.

D.1.3 VOC Emission Limitations [326 IAC 8-5-2], and [326 IAC 2-7]

- a) Pursuant to 326 IAC 8-5-2 (VOC-Miscellaneous Operations: Asphalt Paving) no person shall cause or allow the use of cutback asphalt or asphalt emulsion containing more than seven (7) percent oil distillate oil by volume of emulsion for any paving application except the following purposes:
- 1) penetrating prime coating
  - 2) stockpile storage
  - 3) application during the months of Nov., Dec., Jan., Feb., and Mar.
- b) The production of cutback asphalt shall be limited to 694,869 tons per twelve month period, rolled on a monthly basis.. This is equivalent to 69,486 tons of liquid binder used per year in the production of cold mix asphalt, based on 10.0 percent diluent present in the asphalt. This limit is equivalent to VOC emissions of 98.0 tons per twelve month period, rolled on a monthly basis. Compliance with this rule will satisfy the requirements of 326 IAC 2-7.

D.1.4 Particulate Matter (PM)-Emission Limitations [326 IAC 6-1-2]

That pursuant to 326 IAC 6-1-2, particulate matter (PM) emissions from the asphalt plant (Unit ID 2 and 3) shall not exceed 0.03 grains per dry standard cubic foot. This limit satisfies the requirements of New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60.93, Subpart I).

D.1.5 Particulate Matter 10 Microns (PM-10 ) Emissions Limitations 326 IAC 2-8-4

That pursuant to 326 IAC 2-8-4, particulate matter 10 microns emissions from the asphalt plant (Unit ID 2 and 3) shall not exceed 21.19 pounds per hour, including both filterable and condensable fractions. Compliance with this limit will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.

D.1.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and any control devices.

**Compliance Determination Requirements**

D.1.7 Sulfur Dioxide Emissions and Sulfur Content

Compliance shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-3-4, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed five-tenths percent (0.5%) by weight for distillate oil by:
  - (1) Providing vendor analysis of fuel delivered, if accompanied by a certification;
  - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
    - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
    - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling; or
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-2.1.

A determination of noncompliance pursuant to either of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

D.1.8 Testing Requirements [326 IAC 2-8-5(1)]

During the period between 30 and 36 months after issuance of this permit, the Permittee shall perform PM and PM-10 testing utilizing Methods 5 or 17 (40 CFR 60, Appendix A) for PM and Methods 201 or 201A and 202 (40 CFR 51, Appendix M) for PM-10, or other methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10.

## Compliance Monitoring Requirements

### D.1.9 Parametric Monitoring

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The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the dryer/burner, at least once daily when the asphalt plant is in operation . Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 3.0 and 6.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.

The instrument used for determining the pressure shall comply with Section C - Pressure Gauge Specifications, of this permit, shall be subject to approval by ERMD and IDEM, OAM, and shall be calibrated at least once every six (6) months.

### D.1.10 Visible Emissions Notations

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- (a) Daily visible emission notations of the dryer/burner stack exhaust shall be performed during normal daylight when the plant is in operation. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

## Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

### D.1.11 Record Keeping Requirements

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- (a) To document compliance with Conditions D.1.1, the Permittee shall maintain records in accordance with (1) below. Records maintained for (1) shall be taken monthly and shall be complete and sufficient to establish compliance with the natural gas usage limits and/or the emission limits established in Condition D.1.1.
  - (1) the quantity of natural gas and its equivalent combusted
- (b) To document compliance with Condition D.1.2, the Permittee shall maintain records in accordance with (1) through (6) below. Note that pursuant to 40 CFR 60 Subpart Dc, the fuel oil sulfur limit applies at all times including periods of startup, shutdown, and malfunction.
  - (1) Calendar dates covered in the compliance determination period;

- (2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;
- (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:

- (4) Fuel supplier certifications.
- (5) The name of the fuel supplier; and
- (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (c) To document compliance with Condition D.1.8, the Permittee shall maintain the following:
  - (1) Daily records of the inlet and outlet differential static pressure; and
  - (2) Documentation of all response steps implemented, per event .
  - (3) All instruments and equipment shall be calibrated, maintained, and operated according to manufacturers specifications.
  - (3) Operation and preventive maintenance logs, including work purchases orders, shall be maintained.
  - (4) Quality Assurance/Quality Control (QA/QC) procedures.
  - (5) Operator standard operating procedures (SOP).
  - (6) Manufacturer's specifications or its equivalent.
  - (7) Equipment "troubleshooting" contingency plan.
  - (8) Documentation of the dates vents are redirected.
- (e) To document compliance with Condition D.1.10, the Permittee shall maintain records of daily visible emission notations of the dryer/burner stack exhaust.
- (f) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.12 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1, and D.1.2, shall be submitted to the address(es) listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

### SECTION D.2

### FACILITY OPERATION CONDITIONS

#### **Insignificant Emitting Activities**

- (1) Two (2) 30,000 gallon VOL storage tanks, each constructed in 1995, with maximum true vapor pressure less than 15.0 kPa.

#### **Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]**

##### D.2.1 Operational Parameters

Pursuant to New Source Performance Standards (NSPS), 326 IAC 12 (40 CFR Part 60.116b only, Subpart Kb), the permittee shall maintain accessible records showing the dimensions of each storage vessel and an analysis showing the capacity of the storage vessel. Records shall be kept for the life of the storage tanks. In addition, the owner or operator shall notify the ERMD when the maximum true vapor pressure of any VOL stored in these vessels exceeds 27.6 kPa or 4.00 psia.

**ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
AIR QUALITY MANAGEMENT SECTION  
DATA COMPLIANCE**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT  
CERTIFICATION**

Source Name: E & B Paving, Inc.  
Source Address: 4350 S. Harding St., Indianapolis, IN 46217  
Part 70 Permit No.: F097-7775-00131

**This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.**

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Emergency/Deviation Occurrence Reporting Form
- 9 Test Result (specify) \_\_\_\_\_
- 9 Report (specify) \_\_\_\_\_
- 9 Notification (specify) \_\_\_\_\_
- 9 Other (specify) \_\_\_\_\_

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR MANAGEMENT  
COMPLIANCE DATA SECTION**

P.O. Box 6015  
100 North Senate Avenue  
Indianapolis, Indiana 46206-6015  
Phone: 317-233-5674  
Fax: 317-233-5967

and

**INDIANAPOLIS ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
AIR QUALITY MANAGEMENT SECTION, COMPLIANCE DATA**

2700 S. Belmont Ave.  
Indianapolis Indiana 46221  
Phone: 317-327-2234  
Fax: 317-327-2274

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
EMERGENCY/DEVIATION OCCURRENCE REPORT**

Source Name: E & B Paving, Inc.  
Source Address: 4350 S. Harding St.  
Part 70 Permit No.: F097-7775-00131

**This form consists of 2 pages**

**Page 1 of 2**

Check either No. 1 or No.2

**9** 1. This is an emergency as defined in 326 IAC 2-7-1(12)  
CThe Permittee must notify the ERMD and OAM, within four (4) business hours; and  
CThe Permittee must submit notice in writing or by facsimile to ERMD and OAM within two (2) days, and follow the other requirements of 326 IAC 2-8-12

**9** 2. This is a deviation, reportable per 326 IAC 2-8-4(3)(C)  
CThe Permittee must submit notice in writing within ten (10) calendar days

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency/Deviation:

Describe the cause of the Emergency/Deviation:

If any of the following are not applicable, mark N/A

**Page 2 of 2**

Date/Time Emergency/Deviation started:
Date/Time Emergency/Deviation was corrected:
Was the facility being properly operated at the time of the emergency/deviation?    Y    N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency/deviation:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
 AIR QUALITY MANAGEMENT SECTION  
 DATA COMPLIANCE**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT  
 QUARTERLY COMPLIANCE REPORT**

Source Name: E & B Paving, Inc.  
 Source Address: 4350 S. Harding St., Indianapolis, IN 46206  
 Part 70 Permit No.: F097-7775-00131

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

This report is an affirmation that the source has met all the requirements stated in this permit. This report shall be submitted quarterly. Any deviation from the requirements and the date(s) of each deviation must be reported. Additional pages may be attached if necessary. This form can be supplemented by attaching the Emergency/Deviation Occurrence Report. If no deviations occurred, please specify zero in the column marked "No Deviations".

LIST EACH COMPLIANCE REQUIREMENT EXISTING FOR THIS SOURCE:

Requirement (eg. Permit Condition D.1.3)	Number of Deviations	Date of each Deviations	No Deviations

Form Completed By: \_\_\_\_\_  
 Title/Position: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR MANAGEMENT  
 COMPLIANCE DATA SECTION  
 and  
 INDIANAPOLIS ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
 AIR QUALITY MANAGEMENT SECTION, DATA COMPLIANCE**

**FESOP Quarterly Report**

Source Name: E & B Paving, Inc.  
 Source Address: 4350 S. Harding St.  
 FESOP No.: F097-7775-00131  
 Facility: Dryer/Burner  
 Parameter: Percent sulfur by weight for all fuel oil  
 Limit: The dryer / burner shall be limited to 2,468,900 gallons of No.2 fuel oil per twelve month period, rolled on a monthly basis. For purposes of determining compliance, every MMCF of natural gas burned shall be equivalent to 8.4 gallons of No. 2 oil, based on SO2 emissions. No. 2 distillate fuel oil burned shall have a maximum sulfur content of 0.50% by weight. During the first twelve months of this permit E & B Paving, Inc., shall follow the fuel usage caps stated on pages 28, and 29 of this permit.

**Quarter: \_\_\_\_\_ Year: \_\_\_\_\_**

Month	Amount of No. 2 fuel oil combusted this month (gallons)	Percent sulfur (by weight) of fuel oil combusted	Natural gas equivalents (MMCF Nat. gas x .0084)	Total No.2 fuel oil and its NG equivalents comb. this month (gallons)	No. 2 fuel oil and its equivalents combusted in previous 11 months (gallons)

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title/Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR MANAGEMENT  
 COMPLIANCE DATA SECTION  
 and  
 INDIANAPOLIS ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
 AIR QUALITY MANAGEMENT SECTION, DATA COMPLIANCE**

**FESOP Quarterly Report**

Source Name: E & B Paving, Inc.  
 Source Address: 4350 S. Harding St.  
 FESOP No.: F097-7775-00131  
 Facility: Dryer/Burner  
 Parameter: The Dryer/Burner shall be limited to 326.3 MMCF of natural gas and natural gas equivalents per twelve month period, rolled on a monthly basis. For purposes of determining compliance, every 1000 gallons of No. 2 distillate fuel burned shall be equivalent to .0364 MMCF of natural gas based on NOx emissions. During the first 12 months of operation under this permit, E & B Paving, Inc., shall follow the fuel usage caps stated on pages 28, and 29 of this permit.

**Quarter: \_\_\_\_\_ Year: \_\_\_\_\_**

Month	Amount of NG combusted this month (MMCF)	NG equivalents combusted this month (gal No.2 fuel oil x .0364)	Total NG and equivalents combusted this month (MMCF)	NG and its equivalents combusted this month plus previous 11 months (MMCF)

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title/Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR MANAGEMENT  
COMPLIANCE DATA SECTION  
and  
INDIANAPOLIS ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION  
AIR QUALITY MANAGEMENT SECTION, DATA COMPLIANCE**

**FESOP Quarterly Report**

Source Name: E & B Paving, Inc.  
Source Address: 4350 S. Harding St.  
FESOP No.: F097-7775-00131  
Facility: Cold Mix (stockpile) asphalt  
Parameter: 69,486 tons liquid binder in stockpile mix per twelve month period, rolled on a monthly basis.

Quarter: \_\_\_\_\_ Year: \_\_\_\_\_

Month	Asphalt binder used this month (tons)	Asphalt binder usage previous 12 months (tons)

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_  
Title/Position: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

## **Environmental Resources Management Division Air Quality Management Section**

### Technical Support Document (TSD) for a Federally Enforceable State Operating Permit (FESOP)

#### **Source Background And Description**

<b>Source Name:</b>	<b>E &amp; B Paving, Inc.</b>
<b>Current Source Location:</b>	<b>4350 S. Harding St., Indianapolis, IN 46217</b>
<b>County:</b>	<b>Marion</b>
<b>SIC Code:</b>	<b>2951</b>
<b>Operation Permit No.:</b>	<b>F097-7775-00131</b>
<b>Permit Reviewer:</b>	<b>Brian Head</b>

The Environmental Resource Management Division (ERMD), Air Quality Management Section has reviewed a Federally Enforceable State Operating Permit (FESOP) application from E & B Paving, Inc. relating to the operation of the portable hot mix asphalt plant.

#### **Permitted Emission Units and Pollution Control Equipment**

The source consists of the following permitted emission units and pollution control devices:

One (1) portable drum mix asphalt plant (Unit ID 2) with a maximum rated capacity of 350 tons per hour, equipped with one (1) 150 MM BTU/Hr burner (Unit ID 3): The primary fuel source is natural gas with No. 2 distillate fuel oil as a back up fuel. Particulate emissions are controlled by one (1) jet pulse baghouse rated at 68,145 acfm, and preceded by (1) one horizontal cyclone, exhausting at stack 1.

#### **Unpermitted Emission Units and Pollution Control Equipment**

There are no unpermitted facilities operating at this source during this review process.

#### **Emission Units and Pollution Control Equipment Under Enhanced New Source Review (ENSR)**

There are no new facilities to be reviewed under the ENSR process.

#### **Insignificant Activities**

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (1) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu/hr.
  - (a) One (1) Heatec hot oil heater, fired by natural gas and rated at 2.353 MMBTU/hr. The heater exhausts at stack/vent SV-2.
- (2) Propane or liquified petroleum gas, or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu/hr.

- (3) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu/hr and firing fuel containing less than five-tenths (0.5) percent.
- (4) Combustion source flame safety purging on startup.
- (5) A gasoline fuel transfer and dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day, such as filling of tanks, locomotives, automobiles, having storage capacity less than or equal to ten thousand five hundred (10,500) gallons.
- (6) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to ten thousand five hundred (10,500) gallons, and dispensing less than or equal to two hundred thousand (230,000) gallons per month.
- (7) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (8) Application of oils, greases, lubricants or other nonvolatile materials applied as temporary protective coatings.
- (9) Cleaners and solvents characterized as follows:
  - (a) having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38°C (100°F) or;
  - (b) having a vapor pressure equal to or less than 0.7 kPa; 5 mm Hg; or 0.1 psi measured at 20°C(68°F); the use of which for all cleaners and solvents combined does not exceed one hundred forty-five (145) gallons per twelve (12) months.
- (10) Closed loop heating and cooling systems.
- (11) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- (12) A laboratory as defined in 326 IAC 2-7-1(20)(C).
  - a) Materials Testing Lab
- (13) One (1) 30,000 gallon VOL Storage Tanks, maximum true vapor pressure less than 15.0 kPa.
- (14) One (1) 24,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa.
- (15) One (1) 10,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa.

### Existing Approvals

This source has been operating under the following approvals:

- (1) CP 960131-01, plant # 3340, issued on March 21, 1998.

### Enforcement Issue

There are no Enforcement actions pending.

### Recommendation

The staff recommends to the Commissioner that the FESOP 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 administratively complete FESOP application for the purposes of this review was received on December 13, 1996.

### Emissions Calculations

See Appendix A: Emissions Calculations for detailed calculations

### Potential Emissions

Pursuant to 326 IAC 1-2-55, Potential Emissions are defined as "emissions of any one (1) pollutant which would be emitted from a facility, if that facility were operated without the use of pollution control equipment unless such control equipment is necessary for the facility to produce its normal product or is integral to the normal operation of the facility."

Pollutant	Potential Emissions (tons/year)
PM	49112.9
PM-10	7018.4
SO <sub>2</sub>	335.5
VOC	1.0
CO	26.28
NO <sub>x</sub>	361.4

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

See attached spreadsheets for detailed calculations

HAP	Potential Emissions (tons/year)
Benzene	1.84
Formaldehyde	5.52
All others	2.55
TOTAL	9.91

See attached spreadsheets for detailed calculations

- (a) The potential emissions (as defined in the Indiana Rule) of PM-10, SO<sub>2</sub>, and NO<sub>x</sub> are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

- (b) This source, otherwise required to obtain a Title V permit, has agreed to accept a permit with federally enforceable limits that restrict its PTE to below the Title V emission levels. Therefore, this source will be issued a Federally Enforceable State Operating Permit (FESOP), pursuant to 326 IAC 2-8.

**Limited Potential To Emit**

- (a) The source has accepted a federally enforceable limit on potential to emit NOx of 99 tons per year, consisting of:
- (i) 89.76 tons per year for the significant activities; and
  - (ii) 9.21 tons per year for the insignificant activities.
- b) The source has accepted a federally enforceable limit on potential to emit SO2 of 99 tons per year, consisting of:
- (i) 93.63 tons per year for the significant activities; and
  - (ii) 5.37 tons per year for the insignificant activities.
- c) The source has accepted a federally enforceable limit on potential to emit VOC of 99 tons per year, consisting of:
- (i) 99 tons per year for the significant activities (including cutback); and
  - (ii) a negligible amount for the insignificant activities.
- d) The table below summarizes the total limited potential to emit of the significant and insignificant emission units.

Limited Potential to Emit (tons/year)							
Process/ facility	PM	PM-10	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>	HAPs
Dryer/Burner	2.78 *	1.39 *	93.63	.28	7.11	89.76	2.72
Unpav roads	6.03	2.71	neg.	neg.	neg.	neg.	neg.
Process	16.9	92.8	neg.	neg.	neg.	neg.	neg.
Handling	4.4	2.1	neg.	neg.	neg.	neg.	neg.
Insignificant Activities	neg.	neg.	5.37	neg.	neg.	9.21	neg.
Cutback asphalt	neg.	neg.	neg.	98.72	neg.	neg.	neg.
<b>Total Emissions</b>	<b>29.65</b>	<b>99.0</b>	<b>99.0</b>	<b>99.0</b>	<b>7.32</b>	<b>99.0</b>	<b>2.72</b>

\* Particulate emissions from fuel

### County Attainment Status

The source is located in Marion County.

Pollutant	Status
PM	non-attainment
PM-10	attainment
SO <sub>2</sub>	attainment
NO <sub>2</sub>	attainment
Ozone	attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) and oxides of nitrogen are precursors for the formation of ozone. Therefore, VOC and NO<sub>x</sub> emissions are considered when evaluating the rule applicability relating to the ozone standards. Marion County has been designated as attainment for ozone.

### Federal Rule Applicability

- (a) This hot mix asphalt plant is subject to the New Source Performance Standard, 326 IAC 12, (40 CFR 60.90, Subpart I, since it commenced construction after June 11, 1973. This rule requires that facilities :
- (a) limit particulate matter in excess of 90 mg/dscf ( 0.04 gr/dscf)
  - (b) exhibit 20 percent opacity, or greater

The grain loading limit **superceded by a .03 gr/dscf** limitation under 326 IAC 6-1-2.

- (b) Since the two (2) 30,000 gallon VOL storage tanks were constructed after July 23, 1984, they are subject to New Source Performance Standards (NSPS), 326 IAC 12 (40 CFR Part 60.116b, Subpart Kb). This rule requires the permittee to maintain accessible records showing the dimensions of each storage vessel and an analysis showing the capacity of the storage vessel. Records shall be kept for the life of the storage tanks. In addition, the owner or operator shall notify the ERMD when the maximum true vapor pressure of any VOL stored in these vessels exceeds 27.6 kPa pr 4.00 psia.
- (c) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 63, applicable to this source.

### State Rule Applicability - Entire Source

#### 326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it emits more than ten (10) tons per year of NO<sub>x</sub>. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Visible Emissions Limitations)

This rule applies to all sources located in Marion County. Pursuant to 326 IAC 5-1-2 (Visible Emissions Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions shall meet the following, unless otherwise stated in this permit:

- (a) Visible emissions shall not exceed an average of forty percent (30%) opacity in twenty-four (24) consecutive readings as determined by 326 IAC 5-1-4,
- (b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.

The opacity limit is **superceded by a 20% opacity** limitation under 40 CFR 60.90, subpart I.

326 IAC 6-1-2(a) (Particulate Emissions Limitations)

Pursuant to 326 IAC 6-1-2(a) sources which have potential particulate emissions in excess of 100 ton or more per year, shall not allow discharges to the atmosphere of any gases which contain particulate matter in excess of .03 gr/dscf. In order to comply with this limitation, the baghouse shall be in operation at all times the asphalt concrete plant is in operation. This limit is equivalent to a potential to emit of 16.93 tons PM10 and PM, at a flow rate of 68,145 acfm, per 12 month period for the asphalt concrete facility.

326 IAC 6-4 (Fugitive Dust Emissions)

326 IAC 6-4 requires that all sources of fugitive dust not allow the 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).

326 IAC 6-5 (Fugitive Particulate Emissions Limitations)

This rule requires a fugitive dust control plan for all sources with potential fugitive PM emissions in excess of 25 tons, and located in nonattainment areas. E & B Paving, Inc., submitted a fugitive dust control plan on December 13, 1996. This plan was reviewed, and approved by ERMD. The source shall comply with all dust abatement measures contained therein. The fugitive dust control plan has been included as Attachment 2.

**State Rule Applicability - Individual Facilities**

326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations)

Since the potential to emit of SO<sub>2</sub> exceeds 25 tons per year, sulfur dioxide emissions from the combustion of distillate oil shall be limited to 0.5 pounds per million BTU heat input (the equivalent of 0.5% sulfur content). The permittee is currently complying with this requirement.

326 IAC 8-5-2 (VOC-Miscellaneous Operations: Asphalt Paving)

No person shall cause or allow the use of cutback asphalt or asphalt emulsion containing more than seven (7) percent oil distillate oil by volume of emulsion for any paving application except the following purposes:

- 1) penetrating prime coating
- 2) stockpile storage
- 3) application during the months of Nov., Dec., Jan., Feb., and Mar.

## Compliance Requirements

Permits issued under 326 IAC 2-8 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs ERMD, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-8-4. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in permit Section D are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in permit Section D. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

The baghouse has applicable compliance monitoring conditions as specified below:

- (a) Daily visible emissions notations of the stack exhaust shall be performed during normal daylight operations. A trained employee will record whether emissions are normal or abnormal. For processes operated continuously "normal" means those conditions prevailing, or expected to prevail eighty percent (80%) of the time the process is in operation, not counting startup or shut down time. In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions. A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when an abnormal emission is observed.
- (b) The Permittee shall record the total static pressure drop across the baghouse controlling the dryer/burner, at least once daily when the shot blasting system is in operation. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 3.0 to 6.0 inches of water or a range established during the latest stack test. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the pressure reading is outside of the above mentioned range for any one reading.

These monitoring conditions are necessary because the baghouse must operate properly to ensure compliance with 326 IAC 6-1-2(a) (Particulate Limitations), 326 IAC 5-1 (Opacity Emissions Limitations), and 326 IAC 2-8 (FESOP).

### **Air Toxic Emissions**

Indiana presently requests applicants to provide information on emissions of the 187 hazardous air pollutants set out in the Clean Air Act Amendments of 1990. These pollutants are either carcinogenic or otherwise considered toxic and are commonly used by industries. They are listed as air toxics on the Office of Air Management (OAM) FESOP Application Form GSD-08.

- (a) This source will emit levels of air toxics less than those which constitute a major source according to Section 112 of the 1990 Amendments to Clean Air Act.
- (b) See attached calculations for detailed air toxic calculations.

### **Conclusion**

The operation of this hot mix asphalt plant will be subject to the conditions of the attached proposed **FESOP No. F097-7775-00131**.

**PM and PM10 Emissions from Storage Piles**

AP42 11.2-3.1 (1987)

s = silt content of aggregate, worst case (%) =

1.50

f = % time when wind &gt; 12 mph at mean pile height =

23.00

p = no. of days/yr with &gt; 0.01" precipitation =

120.00

PC = total pile capacity (acres) =

1.06

EF [lb/day/acre] =  $1.7 * (s/1.5) * [(365-p)/235] * (f/15)$ EF [lb/day/acre] =  $1.7 * (1.2/1.5) * [(365-125)/235] * (15/15)$ **EF [lb/day/acre] = 2.718**

PM emissions = PC \* EF \* 365 day/yr \* ton/2000 lbs

PM emissions = 2.63 acres \* 1.389 lb/day/acre \* 365 day/yr \* ton/2000 lbs

**PM emissions = 0.53 tons per year****PM10 = PM / 2.1 = 0.25 tons per year**

Per AP-42 11.19.2-6c: PM = PM10 \* 2.1