

**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
and ENHANCED NEW SOURCE REVIEW**

**OFFICE OF AIR MANAGEMENT
and Gary Local Agency**

**Rieth Riley Construction Company, Inc.
301 North Cline Avenue
Gary, Indiana 46406**

(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.

This permit supercedes the previous FESOP No. F089-5554-03226 issued December 9, 1996.

Operation Permit No.: F089-8947-03226	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	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 Gary Local Agency, and presented in the permit application.

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

The Permittee owns and operates a stationary drum-mix asphalt plant with a maximum production capacity of 600 tons per hour.

Responsible Official: Dean K. Logan
Source Address: 301 N. Cline Avenue, Gary, Indiana 46406
Mailing Address: P.O. Box 477, Goshen, IN 46527-0477
SIC Code: 2951
County Location: Lake County
County Status: Primary nonattainment for carbon monoxide, particulate matter, sulfur dioxide; moderate nonattainment for particulate matter 10 microns; severe nonattainment for volatile organic compounds
Source Status: Minor Source, Emission Offset Rules;
Synthetic Minor Source, Part 70 Permit Program

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

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

- (a) one (1) aggregate drum dryer, equipped with a low NO_x burner capacity of 200 million British thermal units per hour, exhausting through a baghouse at stack SV1, and having a maximum production capacity of 600 tons per hour. This dryer is fired by natural gas, including #4 residual waste oil, #4 distillate fuel oil, #2 distillate oil, and butane as backup fuels;
- (b) two (2) hot oil heaters, fired by #2 distillate oil with propane as a backup fuel. These heaters are rated at 2.0 and 2.256 million British thermal units per hour and exhaust at stacks SV2 and SV3, respectively;
- (c) four (4) 12,500 gallon liquid storage tanks for liquid asphalt venting at stacks SV4, SV5, SV6 and SV7;
- (d) one (1) 25,000 gallon liquid storage tank for liquid asphalt venting at stack SV8;
- (e) one (1) 18,000 gallon liquid storage tank for #4 waste oil or #4 distillate oil venting at stack SV9;
- (f) one (1) 10,000 gallon liquid storage tank for #2 distillate oil venting at stack SV10; and
- (g) one (1) baghouse with a total filter area of 21,240 ft².

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

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

- (a) Natural gas-fired combustion sources with a heat input equal to or less than 10 million British thermal units per hour.
- (b) Propane or liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than 6 million British thermal units per hour.
- (c) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
- (d) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.

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

This stationary 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) for a Federally Enforceable State Operating Permit (FESOP).

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 the Gary Local Agency.
- (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 the Gary Local Agency.

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)] [326 IAC 2-8-7(a)(3)]

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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

- (b) The Permittee shall furnish to IDEM, OAM, and the Gary Local Agency within a reasonable time, any information that IDEM, OAM, and the Gary Local Agency 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 the Gary Local Agency 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 the Gary Local Agency 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 the Gary Local Agency 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 certify that the source has complied 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

- (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 the Gary Local Agency 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 the Gary Local Agency 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 the Gary Local Agency upon request and shall be subject to review and approval by IDEM, OAM, and the Gary Local Agency.

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 the Gary Local Agency, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

and

Air and Land Pollution Control
Telephone No.: 219-882-3007
Facsimile No.: 219-882-3012

Failure to notify IDEM, OAM, and the Gary Local Agency 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

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(34).

- (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 the Gary Local Agency, 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 the Gary Local Agency, 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

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 the Gary Local Agency 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 the Gary Local Agency 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 the Gary Local Agency at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, and the Gary Local Agency 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 the Gary Local Agency 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

- (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 the Gary Local Agency on or before the date it is due. [326 IAC 2-5-3]
- (2) If IDEM, OAM, and the Gary Local Agency 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 the Gary Local Agency 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 the Gary Local Agency any additional information identified as needed to process the application.

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

- (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 the Gary Local Agency 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)]

- (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 the Gary Local Agency 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)]

- (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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

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 the Gary Local Agency 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(34).

- (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]

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 the Gary Local Agency, 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 the Gary Local Agency, 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 the Gary Local Agency 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 the Gary Local Agency 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.

B.28 Enhanced New Source Review [326 IAC 2]

The requirements of the construction permit rules in 326 IAC 2 are satisfied by this permit for any previously unpermitted facilities and such facilities to be constructed within eighteen (18) months after the date of issuance of this permit, as listed in Sections A.2 and A.3.

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 volatile organic compounds (VOCs), sulfur dioxide (SO₂), and nitrogen oxides (NO_x) from the entire source shall be limited to less than twenty-five (25) tons per three hundred sixty-five (365) consecutive day period. This limitation shall also satisfy the requirements of 326 IAC 2-3 (Emission Offset);
 - (2) The potential to emit particulate matter 10 microns (PM10) and carbon monoxide (CO) shall be limited to less than one-hundred (100) tons per three hundred sixty-five (365) consecutive day period. This shall also satisfy the requirements of 326 IAC 2-3 (Emission Offset);
 - (3) 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
 - (4) 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 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]

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 twenty percent (20%) 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 condition is not federally enforceable.

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. This condition is 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. This condition is not federally enforceable.

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). Rule 326 IAC 6-4-2(4) regarding visible dust is not federally enforceable.

C.6 Fugitive Dust Emissions [326 IAC 6-1-11.1]

The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9. Fugitive particulate matter emissions shall be controlled according to the plan submitted on September 4, 1997. The plan consists of:

- (a) adequate wet suppression of dust from unpaved roadways on an "as needed" basis,
- (b) adequate wet suppression of dust from aggregate storage piles on an "as needed" basis.

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 vented to the control equipment is 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

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

- (b) All test reports must be received by IDEM, OAM 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, 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)]

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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

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)]

- (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]

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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

- (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 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

within 180 days from the date on which this source commences operation).

- (c) If the ERP is disapproved by IDEM, OAM, and the Gary Local Agency, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP. If after this time, the Permittee does not submit an approvable ERP, then IDEM, OAM, and the Gary Local Agency, shall supply such a plan.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAM, and the Gary Local Agency, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.17 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]

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 the Gary Local Agency 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 the Gary Local Agency that the Risk Management Plan is being properly implemented.

C.18 Compliance Monitoring Plan - Failure to Take Corrective Action [326 IAC 2-8-4(3)]

- (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 the Gary Local Agency upon request and shall be subject to review and approval by IDEM, OAM, and the Gary Local Agency. 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.19 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.20 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

- (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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

- (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 the Gary Local Agency on or before the date it is due.

C.21 Monitoring Data Availability

- (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, OAM, and the Gary Local Agency 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.22 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, and the Gary Local Agency 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.23 General Reporting Requirements [326 IAC 2-8-4(3)(C)]

- (a) 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

Air and Land Pollution Control
Suite 1012
504 Broadway
Gary, Indiana 46402

- (b) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, and the Gary Local Agency on or before the date it is due.
- (c) Unless otherwise specified in this permit, any quarterly report shall be submitted within thirty (30) days of the end of the reporting period.
- (d) 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.

- (e) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (f) 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.

Stratospheric Ozone Protection

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

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

- (1) one (1) 600 tons per hour drum-mix aggregate dryer, with a low NO_x burner capacity of 200 million British thermal units per hour, exhausting through a baghouse at stack SV1. This dryer is fired by natural gas, including #4 residual waste oil, #4 and #2 distillate fuel oils, and butane as backup fuels.
- (2) two (2) hot oil heaters, fired by #2 distillate oil with propane as backup fuel. The heaters are rated at 2.0 and 2.256 million British thermal units per hour and exhaust at stacks SV2 and SV3, respectively.
- (3) one (1) baghouse with a total filter area of 21,240 ft².

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

D.1.1 Sulfur Dioxide (SO₂)

The input of #4 residual waste oil to the aggregate dryer burner shall be limited to 263,040 gallons per 365-day period, rolled on a daily basis. Also, the sulfur content of the waste oil shall not exceed 0.75 weight percent. For purposes of determining compliance each gallon of #4 distillate oil burned shall be equivalent to 0.6803 gallons of #4 waste oil based on SO₂ emissions, and each gallon of #2 distillate oil burned shall be equivalent to 0.6440 gallons of #4 waste oil based on SO₂ emissions. Also, the sulfur content of the #4 and #2 distillate oils burned shall not exceed 0.5 weight percent sulfur content.

These fuel usage and content limitations were taken voluntarily by the company and are equivalent to sulfur dioxide emissions of 14.5 tons per 365-day period, rolled on a daily basis. Due to these voluntary limits, 326 IAC 7-1.1 and 326 IAC 7-4-1.1 (Sulfur dioxide limitations), 326 IAC 2-3 (Emission Offset rules), and the Part 70 Permit Program (326 IAC 2-7) rules do not apply.

D.1.2 Used Oil Combustion [329 IAC 3.1]

Pursuant to 329 IAC 3.1-11 (Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities), the waste oil burned in the aggregate dryer burner shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy, recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:

- (a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),
- (b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and
- (c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).

The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3.1 is prohibited at this source.

D.1.3 Nitrogen Oxides (NO_x)

Pursuant to 326 IAC 2-8-4, the input of natural gas to the aggregate dryer burner shall be limited to 484.32 MMCF per 365-day period, rolled on a daily basis. For purposes of determining compliance based on NO_x emissions every 1000 gallons of butane burned shall be equivalent to 0.2530 MMCF of natural gas, each 1000 gallons of #4 waste oil burned shall be equivalent to 0.2289 MMCF of natural gas, every 1000 gallons of #4 distillate oil burned shall be equivalent to 0.8072 MMCF of natural gas, and every 1000 gallons of #2 distillate oil burned shall be equivalent to 0.2410 MMCF of natural gas.

This fuel usage limitation was taken voluntarily by the company and is equivalent to nitrogen oxides emissions of 20.1 tons per 365-day period, rolled on a daily basis. Due to this usage limit, the Part 70 Permit Program (326 IAC 2-7) and Emission Offset (326 IAC 2-3) rules do not apply.

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

Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations) particulate matter emissions from the asphalt plant shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf). This emission limitation is equivalent to 20.04 pounds per hour based on an exhaust rate of 119,086 acfm and an exhaust temperature of 250 degrees Fahrenheit.

D.1.5 Particulate Matter (PM) [326 IAC 12]

Pursuant to the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60 .93, Subpart I), particulate matter emissions from the asphalt plant shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf), and the visible emissions from the plant shall not exceed 20 percent opacity. This emission limitation is equivalent to 26.72 pounds per hour based on an exhaust rate of 119,086 acfm and an exhaust temperature of 250 degrees Fahrenheit. Compliance with 326 IAC 6-1-2, 326 IAC 5-1, and 326 IAC 6-1-11.1 will satisfy this rule.

D.1.6 Particulate Matter (PM) and Particulate Matter 10 Microns (PM-10)

~~Pursuant to 326 IAC 2-8-4, emissions of particulate matter and particulate matter 10 microns or less in diameter (PM10) from the aggregate dryer/mixer shall not exceed 20.04 pounds per hour, including both filterable and condensable fractions. Compliance with this limit and D.1.7 will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.~~

D.1.7 Emission Offset Minor Limit [326 IAC 2-3]

Pursuant to 326 IAC 2-3, the production of asphalt concrete shall be limited to 1,982,153 tons per 365-day period, rolled on a daily basis. This production limitation was taken voluntarily by the company and is equivalent to particulate matter emissions of 33.1 tons per 365-day period, rolled on a daily basis. Due to this production limit, D.1.6, and that the company shall dismantle and cease to operate the existing aggregate dryer and dryer burner, 326 IAC 2-3 (Emission Offset) and the Part 70 (326 IAC 2-7) rules do not apply.

D.1.8 Volatile Organic Compounds (VOC)

The VOC usage in the production of cold mix cutback asphalt shall be limited to 22.1 tons per year. This is equivalent to 718 tons of liquid binder used per year in the production of cold mix cutback asphalt based on 5.0 percent diluent present in the asphalt. Due to the above limit, 326 IAC 2-3 (Emission Offset) and the Part 70 rules (326 IAC 2-7) do not apply.

D.1.9 Volatile Organic Compounds (VOC) [326 IAC 8-5-2]

Pursuant to 326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving), no person shall cause or allow the use of cutback asphalt or asphalt emulsion containing more than seven percent (7%) oil distillate by volume of emulsion for any paving application except:

- 1) penetrating prime coating

- 2) stockpile storage
- 3) application during the months of November, December, January, February, and March

D.1.10 Preventive Maintenance Plan [326 IAC 2-8-3(c)(6)]

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

During the period between 180 and 360 days 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 [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.12 Particulate Matter (PM)

The baghouse for PM control shall be in operation at all times when the aggregate drum dryer and/or aggregate dryer burner are in operation and exhausting to the outside atmosphere.

D.1.13 Visible Emission Notations

- (a) Daily visible emission notations of the conveyers, material transfer points, aggregate storage piles, unpaved roads, and the aggregate drum dryer/burner stack exhaust shall be performed during normal daylight operations. 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.

D.1.14 Parametric Monitoring

- (a) The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the aggregate drum dryer and aggregate dryer burner, at least once per working shift when the dryer and/or dryer burner 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 1.0 and 9.0 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 IDEM, OAM, and the Gary Local Agency and shall be calibrated at least once every six (6) months.
- (b) The inlet temperature to the baghouse shall be maintained within a range of 200-400 degrees Fahrenheit (°F) to prevent overheating of the bags and to prevent low temperatures from mudding up the bags. The thermocouple at the inlet has a temperature switch which automatically shuts the burner off if the high end range is exceeded. In the event that bag failure has occurred due to rupture, melting, etc., corrective action shall be taken. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the inlet temperature reading is outside of the above mentioned range for any one reading. The baghouse shall shutdown for visual inspection within 24 hours and bags shall be replaced as needed.

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

D.1.15 Record Keeping Requirements

- (a) Production Rate -The Permittee shall maintain monthly records at the source of the following values:
 - (1) Amount of liquid binder used in the production of cold mix cutback asphalt; and
 - (2) Average diluent content of the liquid binder.
- (b) Operational Parameters - The Permittee shall maintain monthly records at the stationary source of the following values:
 - (1) Amount of each fuel used;
 - (2) The records for fuel oil shall contain a minimum of the following:
 - (i) Average sulfur content of any fuel oil used;
 - (ii) Average higher heating value of any fuel oil used;
 - (iii) Average sulfur dioxide emission rate (expressed in pounds per million BTU).
 - (iv) 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

- (v) Fuel supplier certifications.

The fuel supplier certification shall contain, as a minimum, the following:

- (i) The name of the fuel supplier; and
- (ii) 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.

D.1.16 Reporting Requirements

- (a) Quarterly summary to document compliance with operation conditions number D.1.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the enclosed forms or their equivalent, within thirty (30) days after the end of the quarter being reported. These reports shall include the amounts of fuels used, the fuel oils' average sulfur contents and the 365 day rolling total of fuel usage in the quarter. All records and reports shall use calendar month averages. Records of sulfur content and higher heating value shall be determined by information as obtained by the vendor.
- (b) Quarterly summary to document compliance with operation condition number D.1.3 shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the enclosed forms or their equivalent, within thirty (30) days after the end of the quarter being reported. These reports shall include the amounts of fuels used and the 365 day rolling total of fuel usage in the quarter.
- (c) Quarterly summary to document compliance with operation condition number D.1.7 shall be submitted to the addresses listed in Section C - General Reporting Requirements, using the enclosed forms or their equivalent, within thirty (30) days after the end of the quarter being reported. These reports shall include the 365 day rolling total of asphalt concrete produced in the quarter.

SECTION D.2 FACILITY OPERATION CONDITIONS

- (1) four (4) 12,500 gallon liquid storage tanks for liquid asphalt venting at stacks SV4, SV5, SV6 and SV7
- (2) one (1) 18,000 gallon liquid storage tank for #4 waste oil or #4 distillate oil venting at stack SV9
- (3) one (1) 10,000 gallon liquid storage tank for #2 distillate oil venting at stack SV10
- (4) one (1) 25,000 gallon liquid storage tank for liquid asphalt venting at stack SV8

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

D.2.1 Volatile Liquid Storage Tanks [326 IAC 12]

Pursuant to New Source Performance Standard (NSPS), 326 IAC 12 (40 CFR Part 60.116b only, Subpart Kb), the permittee shall maintain accessible records for the 25,000 gallon liquid storage tank only. These records shall include the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. Records shall be kept for the life of the storage tank.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION
and Gary Local Agency**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: Rieth Riley Construction Co., Inc.
Source Address: 301 N. Cline Avenue, Gary, IN 46406
Mailing Address: P.O. Box 477, Goshen, IN 46527-0477
FESOP No.: F089-8947-03226

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 Gary Local Agency

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

Source Name: Rieth Riley Construction Co., Inc.
Source Address: 301 N. Cline Avenue, Gary, IN 46406
Mailing Address: P.O. Box 477, Goshen, IN 46527-0477
FESOP No.: F089-8947-03226

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 Office of Air Management (OAM), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and CThe Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16
9 2. This is a deviation, reportable per 326 IAC 2-7-5(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 ₂ , VOC, NO _x , 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.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR MANAGEMENT
 COMPLIANCE DATA SECTION
 and Gary Local Agency**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
 QUARTERLY COMPLIANCE REPORT**

Source Name: Rieth Riley Construction Co., Inc.
 Source Address: 301 N. Cline Avenue, Gary, IN 46406
 Mailing Address: P.O. Box 477, Goshen, IN 46527-0477
 FESOP No.: F089-8947-03226

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 Gary Air and Land Pollution Control
Quarterly Report of 365-day Daily Rolling Total**

Company Name: Rieth Riley Construction Co., Inc.
Location: 301 N. Cline Avenue, Gary, Indiana
Permit No.: F089-8947-03226
Source/Facility: aggregate dryer burner
Pollutant: sulfur dioxides (SO₂)

Month: _____ Year: _____

Day	#4 waste oil Usage (gals/day)	#4 distillate oil Usage (gals/day)	#4 distillate oil Usage (gals/day)	waste oil Equivalent (0.6803 x #4 distillate oil) (0.6440 x #2 distillate oil)	Total #4 waste oil usage this day (gals/day)	#4 waste oil usage last 365 days (gals/365-days)	#4 waste oil LIMIT (gals/365-days)	Sulfur Content (%) a: #4 waste oil b: #4 distillate oil c: #2 distillate oil	Heating Value (MMBTU/gal) a: #4 waste oil b: #4 distillate oil c: #2 distillate oil
1							263,040	a: b: c:	a: b: c:
2							263,040	a: b: c:	a: b: c:
3							263,040	a: b: c:	a: b: c:
4							263,040	a: b: c:	a: b: c:
5							263,040	a: b: c:	a: b: c:
6							263,040	a: b: c:	a: b: c:
7							263,040	a: b: c:	a: b: c:
8							263,040	a: b: c:	a: b: c:
9							263,040	a: b: c:	a: b: c:
10							263,040	a: b: c:	a: b: c:
11							263,040	a: b: c:	a: b: c:
12							263,040	a: b: c:	a: b: c:
13							263,040	a: b: c:	a: b: c:

14							263,040	a: b: c:	a: b: c:
15							263,040	a: b: c:	a: b: c:
16							263,040	a: b: c:	a: b: c:
17							263,040	a: b: c:	a: b: c:
18							263,040	a: b: c:	a: b: c:
19							263,040	a: b: c:	a: b: c:
20							263,040	a: b: c:	a: b: c:
21							263,040	a: b: c:	a: b: c:
22							263,040	a: b: c:	a: b: c:
23							263,040	a: b: c:	a: b: c:
24							263,040	a: b: c:	a: b: c:
25							263,040	a: b: c:	a: b: c:
26							263,040	a: b: c:	a: b: c:
27							263,040	a: b: c:	a: b: c:
28							263,040	a: b: c:	a: b: c:
29							263,040	a: b: c:	a: b: c:
30							263,040	a: b: c:	a: b: c:
31							263,040	a: b: c:	a: b: c:

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: _____

14									484.32
15									484.32
16									484.32
17									484.32
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27									484.32
28									484.32
29									484.32
30									484.32
31									484.32

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: _____

**Indiana Department of Environmental Management - Office of Air Management - Compliance Data Section
 and Gary Air and Land Pollution Control
 Quarterly Report of 365-day Daily Rolling Total**

Company Name: Rieth Riley Construction Co., Inc.
 Location: 301 N. Cline Avenue, Gary, Indiana
 Permit No.: F089-8947-03226
 Source/Facility: aggregate dryer/mixer
 Pollutant: particulate matter (PM)

Month: _____ Year: _____

Day	asphalt concrete produced this day (tons/day)	asphalt concrete produced last 365 days (tons/365 days)	production limit (tons/365 days)
1			1,982,153
2			1,982,153
3			1,982,153
4			1,982,153
5			1,982,153
6			1,982,153
7			1,982,153
8			1,982,153
9			1,982,153
10			1,982,153
11			1,982,153
12			1,982,153
13			1,982,153
14			1,982,153
15			1,982,153

16			1,982,153
17			1,982,153
18			1,982,153
19			1,982,153
20			1,982,153
21			1,982,153
22			1,982,153
23			1,982,153
24			1,982,153
25			1,982,153
26			1,982,153
27			1,982,153
28			1,982,153
29			1,982,153
30			1,982,153
31			1,982,153

- 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: _____

**Indiana Department of Environmental Management
Office of Air Management
and IDEM Northwest Regional Office
and Gary Local Agency**

Technical Support Document (TSD) for a
Federally Enforceable State Operating Permit (FESOP)
and Enhanced New Source Review

Source Background And Description

Source Name:	Rieth Riley Construction Co., Inc.
Source Location:	301 N. Cline Avenue, Gary, IN
County:	Lake
SIC Code:	2951
Operation Permit No.:	F089-8947-03226
Permit Reviewer:	JKJ

The Office of Air Management (OAM) has reviewed a construction permit application from Rieth Riley Construction Co., Inc., relating to the construction and operation of a new 600 ton per hour drum-mix hot asphalt manufacturing plant which will replace the existing 300 ton per hour batch-mix plant currently permitted under F089-5554-03226.

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units and pollution control devices (facilities marked with ** will be dismantled and removed from service as a result of the new replacement equipment listed under ENSR, below):

- (1)** one (1) 300 ton per hour dryer batch mixer exhausting through stack SV1,
- (2)** one (1) 133 MMBTU/hr burner firing no.4 residual waste oil as a primary fuel and no.4 distillate oil, butane, natural gas as backup fuels also exhausting through stack SV1,
- (3) one (1) 2 MMBTU/hr hot oil heater firing no.2 distillate oil as a primary fuel with propane, butane or natural gas as backup fuels exhausting at stack SV2,
- (4) four (4) 12,500 gallon liquid asphalt storage tanks (20a, 20b, 20c and 20d, respectively) exhausting at vents SV3 through SV6,
- (5) one (1) 18,000 gallon storage tank for no.4 waste oil or no.4 distillate oil venting at SV8,
- (6) one (1) 10,000 gallon storage tank for no.2 distillate oil exhausting at vent SV7, and
- (7) this hot mix asphalt plant also produces cold mix cutback asphalt.

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

The application includes information relating to the construction and operation of a new 600 ton per hour drum-mix hot asphalt manufacturing plant which will replace the existing 300 ton per hour batch-mix plant. The changes to the source facilities consist of the following:

- (1) one (1) new 600 ton per hour dryer drum mixer exhausting through stack SV1,
- (2) one (1) new 200 MMBTU/hr low NO_x burner firing natural gas as a primary fuel and no.4 residual waste oil, no.4 distillate oil, no.2 distillate oil, and butane as backup fuels also exhausting through stack SV1,
- (3) one (1) new 2.256 MMBTU/hr hot oil heater firing no.2 distillate oil as a primary fuel with propane as a backup fuel exhausting at stack SV3,
- (4) one (1) new 25,000 gallon liquid asphalt storage tank exhausting at vent SV8,
- (5) the following changes to existing facilities:
 - (a) the four (4) existing 12,500 gallon liquid asphalt storage tanks shall henceforth be identified as 13A, 13B, 13C, and 13D, and the exhaust vents shall be redesignated as SV4 through SV7, respectively,
 - (b) the one (1) existing 18,000 gallon storage tank for no.4 waste oil or no.4 distillate oil shall be changed to vent at SV9,
 - (c) the one (1) existing 10,000 gallon storage tank for no.2 distillate oil shall be changed to vent at SV10.

Insignificant Activities

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

- (1) a natural gas fired combustion source with heat input less than 10 MMBTU/hr
- (2) petroleum fuel, other than gasoline, dispensing facility with storage capacity less than 10,500 gallons and dispensing less than or equal to 230,000 gallons per month
- (3) propane or liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than 6 MMBTU/hr.
- (4) vessels storing lubricating oils, hydraulic oils, and machining fluids

Existing Approvals

This source has been operating under the following approvals:

- (1) Federally Enforceable State Operation Permit (FESOP) No. F089-5554-03226 issued by the OAM on December 9, 1996.

Recommendation

The staff recommends to the Commissioner that the FESOP with ENSR 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 construction permit application for the purposes of this review was received on September 4, 1997 with additional information received on November 7, 1997.

Emissions Calculations

See Appendix A: Emissions Calculations for detailed calculations (10 pages).

Potential and Allowable 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."

Indiana Permit Allowable Emissions Definition (new emissions units after compliance with applicable rules, based on 8,760 hours of operation per year at rated capacity):

Pollutant	Allowable Emissions (tons/year)	Potential Emissions (tons/year)
Particulate Matter (PM)	87.8	50313.7
Particulate Matter (PM10)	87.8	11882.3
Sulfur Dioxide (SO ₂)	694.8	694.8
Volatile Organic Compounds (VOC)	6.3	6.3
Carbon Monoxide (CO)	35.4	35.4
Nitrogen Oxides (NO _x)	413.3	413.3
Single Hazardous Air Pollutant (HAP)	<10	<10
Combination of HAPs	15.2	15.2

- (a) Allowable emissions are determined from the applicability of rule 326 IAC 6-1. See attached spreadsheets for detailed calculations.
- (b) The allowable emissions based on the rules cited are less than the potential emissions, therefore, the allowable emissions are used for the state permitting determination.
- (c) Allowable emissions (as defined in the Indiana Rule) of particulate matter (PM), sulfur dioxide (SO₂), carbon monoxide (CO), and nitrogen oxides (NO_x) are greater than 25 tons per year. Therefore, pursuant to 326 IAC 2-1, Sections 1 and 3, a construction permit is required.

- (d) The potential emissions (as defined in the Indiana Rule) of particulate matter 10 microns in diameter or less (PM10), sulfur dioxide (SO₂), and nitrogen oxides (NO_x) are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (e) 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.
- (f) Fugitive Emissions
Since this type of operation is one of the 28 listed source categories under 326 IAC 2-2 because there is an applicable New Source Performance Standard that was in effect on August 7, 1980, the fugitive particulate matter emissions are counted toward determination Emission Offset applicability.

Source Status

Existing Source PSD, Part 70 or FESOP Definition (emissions after controls, based on 8,760 hours of operation per year at rated capacity and/ or as otherwise limited):

Pollutant	Emissions (ton/yr)
PM	99
PM10	99
SO ₂	99
VOC	24
CO	17
NO _x	99

- (a) This existing source is **not** a major source because the source has been issued a FESOP on December 9, 1996.
- (b) These emissions were based on the FESOP issued on December 9, 1996.

Limited Potential To Emit

- (a) The source has accepted a federally enforceable limit on potential to emit particulate matter (PM) of 178.6 tons per year, consisting of:
 - (i) 33.1 tons per year for the drum-mix aggregate dryer/burner; and
 - (ii) 145.5 tons per year for the other, unlimited and uncontrolled, activities.

This federally enforceable limit on potential to emit particulate matter (PM) also constrains the potential to emit particulate matter with a diameter of 10 microns or less (PM10) to 82.4 tons per year, consisting of:

- (i) 33.1 tons per year for the drum-mix aggregate dryer/burner; and
- (ii) 49.3 tons per year for the other, unlimited and uncontrolled, activities.

For the purpose of Emission Offset (326 IAC 2-3) applicability, control of fugitive dust from unpaved roads and storage piles is considered in determining limited emissions of 109.2 tons per year as follows:

- (i) 33.1 tons per year for the drum-mix aggregate dryer/burner; and
- (ii) 76.1 tons per year for the other, unlimited but controlled, activities.

The modifications to this source involved replacement of the existing batch-mix asphalt dryer and burner which had past actual PM emissions of 10.2 tons per year on average for the past two (2) years. Based on the limited emissions including fugitive dust control, the net emissions increase for these modifications is 99.0 tons per year. Therefore, Emission Offset (326 IAC 2-3) rules do not apply.

- (b) The source has accepted a federally enforceable limit on potential to emit sulfur dioxide (SO₂) of 24 tons per year, consisting of:
 - (i) 14.5 tons per year for the aggregate dryer burner; and
 - (ii) 9.5 tons per year for the other, unlimited, activities.
- (c) The source has accepted a federally enforceable limit on potential to emit volatile organic compounds (VOCs) of 24 tons per year, consisting of:
 - (i) 22.1 tons per year for the production of cutback asphalt; and
 - (ii) 1.9 tons per year for the other, unlimited, activities.
- (d) The source has accepted a federally enforceable limit on potential to emit nitrogen oxides (NO_x) of 24 tons per year, consisting of:
 - (i) 20.1 tons per year for the aggregate dryer burner; and
 - (ii) 3.9 tons per year for the other, unlimited, activities.
- (e) The table on the next page summarizes the total limited potential to emit of the significant and insignificant emission units.

Process/ facility	Limited PTE (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
drum dryer & burner	33.1	33.1	14.5	1.8	16.3	20.1	15.2
conveying/handling	6.6	0.7	-	-	-	-	-
storage piles *	1.1	0.4	-	-	-	-	-
unpaved roads *	137.5	48.1	-	-	-	-	-
hot oil heater	0.3	0.1	9.5	0.1	0.7	3.9	-
cutback asphalt	-	-	-	22.1	-	-	-
Total Emissions	178.6	82.4	24.0	24.0	17.0	24.0	15.2

* For the purposes of Part 70 review, fugitive dust controls have not been included in this limited PTE table.

Proposed Modification

PTE from the proposed modification (based on 8,760 hours of operation per year at rated capacity including enforceable emission control and production limit, where applicable):

Pollutant	PM (ton/yr)	PM10 (ton/yr)	SO ₂ (ton/yr)	VOC (ton/yr)	CO (ton/yr)	NO _x (ton/yr)	Single HAP (ton/yr)	Combo HAPs (ton/yr)
Proposed Modification *	99.0	58.1	24.0	1.8	17.0	24.0	<10	15.2
Emission Offset Significant Levels	100	100	100	25	100	25	N.A.	N.A.
Existing FESOP Limits F-089-5554, issued on December 9, 1996	99.0	88.3	99.0	24.0	17.1	99.0	<10	7.6
Revised FESOP Limits	178.6	82.4	24.0	24.0	17.0	24.0	<10	15.24
Title V Significant Levels	N.A.	100	100	100	100	100	10	25
Note: This source will be able to keep its FESOP status.								

* Particulate matter (PM) emissions for determining Emission Offset (326 IAC 2-3) applicability are based on potential emissions after fugitive dust controls. The limited PM emission rate after these controls is 109.2 tons per year. The replaced facilities had past actual particulate matter emissions of 10.2 tons per year which, when taken into account, yields a net PM emissions increase of 99.0 tons per year.

This modification to this FESOP stationary source will **not** change the status of the stationary source because the emissions increase is still less than the FESOP significant levels. Therefore, the following requirements will not apply:

- (a) PSD, 326 IAC 2-2, and 40 CFR 52.21,
- (b) Emission Offset, 326 IAC 2-3, and
- (c) Part 70 Permit Program, 326 IAC 2-7.

County Attainment Status

The source is located in Lake County.

Pollutant	Status
TSP	primary nonattainment
PM-10	moderate nonattainment
SO ₂	primary nonattainment
VOC	severe nonattainment
CO	primary nonattainment
NO ₂	attainment (NO _x waiver)

- (a) Volatile organic compounds (VOC) and oxides of nitrogen are precursors for the formation of ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Lake County has been designated as severe nonattainment for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (b) Lake County has been classified as nonattainment for PM, PM10, CO (portions only), and SO₂. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.

Federal Rule Applicability

- (a) This asphalt plant is subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.90, Subpart I. Pursuant to NSPS, the following apply to this facility:
 - (1) Performance tests are required as specified in this Subpart and as outlined in Part 60.8.
 - (2) On or after the date on which the performance tests are completed, no owner or operator subject to the provisions of Subpart I shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:
 - (i) Contain particulate matter in excess of 0.04 gr/dscf
 - (ii) Exhibit 20 percent opacity, or greater
- (b) The new 25,000 gallon liquid storage tank is subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Parts 60.110b, Subpart Kb).

- (c) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP) applicable to this source.

State Rule Applicability

326 IAC 5-1-2 (Visible Emission Limitations)

This rule requires the visible emissions to meet the following:

- (a) visible emissions shall not exceed an average of 20% opacity in 24 consecutive readings,
- (b) visible emissions shall not exceed 60% opacity for more than a cumulative total of 15 minutes (60 readings) in a 6 hour period.

326 IAC 6-1-2 (Particulate Limitations)

This rule requires that particulate matter emissions from the asphalt plant not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

This rule requires the source not generate fugitive dust to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located.

326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements)

This rule requires the opacity of fugitive particulate emissions shall not exceed ten percent (10%) for sources located in Lake County.

326 IAC 6-5 (Fugitive Particulate Emissions Limitations)

This rule requires a fugitive dust plan to be submitted. The plan was submitted, reviewed, and approved. The source shall comply with all dust abatement measures contained therein.

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

This rule does not apply because the source has exceeded a federally enforceable limit of 24.0 tons per year on the potential to emit sulfur dioxide (SO₂) emissions.

326 IAC 7-4-1.1 (Sulfur Dioxide Emission Limitations: Lake County)

This rule does not apply because 326 IAC 7-1.1-2 does not apply, as specified above.

326 IAC 8-5-2 (Miscellaneous Operations: asphalt paving)

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

- (i) penetrating prime coating
- (ii) stockpile storage
- (iii) 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 IDEM, OAM, 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:

- (a) Daily visible emissions notations of the conveyers, material transfer points, aggregate storage piles, unpaved roads, and the drum dryer 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 aggregate dryer, at least once per working shift when the aggregate dryer and/or dryer burner 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 1.0 and 9.0 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.
- (c) The inlet temperature to the baghouse shall be maintained within a range of 200-400 degrees Fahrenheit (°F) to prevent overheating of the bags and to prevent low temperatures from mudding up the bags. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the temperature reading is outside of the above mentioned range.

These monitoring conditions are necessary because the baghouse for the aggregate dryer must operate properly to ensure compliance with 326 IAC 12, (40 CFR Part 60.90, Subpart I), 326 IAC 6-1-2 (Particulate 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 drum-mix asphalt production plant will be subject to the conditions of the attached proposed **FESOP No. F089-8947-03226**.

Appendix A: FESOP Emission Calculations

Company Name: **Rieth Riley Construction Co., Inc.**
 Plant Location: **301 N. Cline Ave., Gary, IN**
 County: **Lake**
 FESOP No.: **089-8947**
 Plt. ID: **089-03226**
 Date Received: **November 6, 1997**
 Permit Reviewer: **Janusz Johnson**

I. Potential Emissions

A. Source emissions before controls

Dryer Burner - 1 @ 200 MMBtu/hr firing waste oil, natural gas, No.2 fuel oil, No.4 fuel oil, and Butane

(waste oil/small boiler)

These calculations determine the amount of emissions created by waste fuel oil @ **0.750** % sulfur, based on 8760 hours of use and EPA SCC #3-05-002-08:

% Ash Content **1.000**
 VOLUNTARY SULFUR LIMIT OF 0.75%

Pollutant: **200** MMBtu/hr * 8760 hr/yr * 1000000 lb/1000 gal = (ton/yr)
140,000 Btu/gal * 2000 lb/ton * 1000 gal/kgal)

Fuel Usage (kgal/yr): **12514.29**

P M:	61.0 lb/1000 gal =	381.69 ton/yr
P M-10:	51.0 lb/1000 gal =	319.11 ton/yr
S O x:	110.3 lb/1000 gal =	689.85 ton/yr
N O x:	19.0 lb/1000 gal =	118.89 ton/yr
V O C:	1.0 lb/1000 gal =	6.26 ton/yr
C O:	5.0 lb/1000 gal =	31.29 ton/yr

(gas/>100MMBTU/low NOx burner)

The following calculations determine the amount of emissions created by natural gas combustion, based on 8760 hours of use, AP-42 Ch. 1.4, and EPA SCC #3-05-002-06:

Pollutant: **200** MMBtu/hr * 8760 hr/yr * Ef (lb/MMcf) = (ton/yr)
 1000 Btu/cf * 2000 lb/ton

Fuel Usage (MMCF/yr): **1752.00**

P M:	13.7 lb/MMcf =	12.00 ton/yr
P M-10:	13.7 lb/MMcf =	12.00 ton/yr
S O x:	0.6 lb/MMcf =	0.53 ton/yr
N O x:	83.0 lb/MMcf =	72.71 ton/yr
V O C:	2.8 lb/MMcf =	2.45 ton/yr
C O:	40.0 lb/MMcf =	35.04 ton/yr

(Distillate Oil)

The following calculations determine the amount of emissions created by #2 & #1 distillate fuel oil @ **0.500** % sulfur, based on 8760 hours of use and EPA SCC #3-05-002-08:

Pollutant: **200** MMBtu/hr * 8760 hr/yr * 1000000 Btu/gal * 2000 lb/ton * 1000 gal/kgal = (ton/yr)
138,000 Btu/gal * 2000 lb/ton * 1000 gal/kgal

Fuel Usage (kgal/yr): **12695.65**

P M:	2.0 lb/1000 gal =	12.70 ton/yr
P M-10:	1.0 lb/1000 gal =	6.35 ton/yr
S O x:	71.0 lb/1000 gal =	450.70 ton/yr
N O x:	20.0 lb/1000 gal =	126.96 ton/yr
V O C:	0.2 lb/1000 gal =	1.27 ton/yr
C O:	5.0 lb/1000 gal =	31.74 ton/yr

(#4 oil/ >100MMBTU)

The following calculations determine the amount of emissions created by #4 distillate fuel oil @ **0.500** % sulfur, based on 8760 hours of use and EPA SCC #3-05-002-08:

Pollutant: **200** MMBtu/hr * 8760 hr/yr * 1000000 Btu/gal * 2000 lb/ton * 1000 gal/kgal = (ton/yr)
142,000 Btu/gal * 2000 lb/ton * 1000 gal/kgal

Fuel Usage (kgal/yr): **12338.03**

P M:	7.0 lb/1000 gal =	43.18 ton/yr
P M-10:	5.0 lb/1000 gal =	30.85 ton/yr
S O x:	75.0 lb/1000 gal =	462.68 ton/yr
N O x:	67.0 lb/1000 gal =	413.32 ton/yr
V O C:	0.1 lb/1000 gal =	0.56 ton/yr
C O:	0.6 lb/1000 gal =	3.70 ton/yr

(Butane/industrial boiler)

The following calculations determine the amount of emissions created by butane gas combustion, based on 8760 hours of use, AP-42 Ch. 1.5, and EPA SCC #3-05-002-06:

sulfur content (gr/100cuft) **0.18**

Pollutant: **200** MMBtu/hr * 8760 hr/yr * 1000000 Btu/gal * 2000 lb/ton * 1000 gal/kgal = (ton/yr)
 102000 Btu/gal * 2000 lb/ton * 1000 gal/kgal

Fuel Usage (kgal/yr): **17176.47**

P M:	0.6 lb/kgal=	5.15 ton/yr
P M-10:	0.6 lb/kgal=	5.15 ton/yr
S O x:	0.02 lb/kgal=	0.14 ton/yr
N O x:	21.0 lb/kgal=	180.35 ton/yr
V O C:	0.4 lb/kgal=	3.44 ton/yr
C O:	3.6 lb/kgal=	30.92 ton/yr

Hot oil heaters - 2 @ 2.256 MMBtu/hr & 2.0 MMBtu/hr firing No.4 fuel oil and propane

(Distillate Oil)

The following calculations determine the amount of emissions created by #2 & #1 distillate fuel oil @ **0.493** % sulfur, based on 8760 hours of use and EPA SCC #3-05-002-08:

Pollutant: $\frac{4.256 \text{ MMBtu/hr} * 8760 \text{ hr/yr} * 1000000 \text{ E} * \text{Ef (lb/1000 gal)}}{138,000 \text{ Btu/gal} * 2000 \text{ lb/ton} * 1000 \text{ gal/kgal}} = (\text{ton/yr})$

Fuel Usage (kgal/yr): **270.16**

P M:	2.0 lb/1000 gal =	0.27 ton/yr
P M-10:	1.0 lb/1000 gal =	0.14 ton/yr
S O x:	70.0 lb/1000 gal =	9.46 ton/yr
N O x:	20.0 lb/1000 gal =	2.70 ton/yr
V O C:	0.2 lb/1000 gal =	0.03 ton/yr
C O:	5.0 lb/1000 gal =	0.68 ton/yr

(Propane/industrial boiler)

The following calculations determine the amount of emissions created by propane gas combustion, based on 8760 hours of use, AP-42 Ch. 1.5, and EPA SCC #3-05-002-06:

sulfur content (gr/100cuft) **0.18**

Pollutant: $\frac{4.256 \text{ MMBtu/hr} * 8760 \text{ hr/yr} * 1000000 \text{ E} * \text{Ef (lb/kgal)}}{91500 \text{ Btu/gal} * 2000 \text{ lb/ton} * 1000 \text{ gal/kgal}} = (\text{ton/yr})$

Fuel Usage (kgal/yr): **407.46**

P M:	0.6 lb/kgal=	0.12 ton/yr
P M-10:	0.6 lb/kgal=	0.12 ton/yr
S O x:	0.0 lb/kgal=	0.00 ton/yr
N O x:	19.0 lb/kgal=	3.87 ton/yr
V O C:	0.3 lb/kgal=	0.06 ton/yr
C O:	3.2 lb/kgal=	0.65 ton/yr

aggregate drying: drum-mix plant - 1 @ 600 ton per hour

The following calculations determine the amount of emissions created by aggregate drying, based on 8760 hours of use and EPA SCC #3-05-002-05:

Potential asphalt produced (ton/yr): **5256000**

P M: $19 \text{ lb/ton} * \underline{600 \text{ ton/hr}} * 8760 \text{ hr/yr} = \underline{49932.00} \text{ ton/yr}$

P M-10:	4.4 lb/ton x	$\frac{2000 \text{ lb/ton}}{600 \text{ ton/hr}}$ x	8760 hr/yr =	11563.20 ton/yr
Lead:	3.3E-06 lb/ton x	$\frac{2000 \text{ lb/ton}}{600 \text{ ton/hr}}$ x	8760 hr/yr =	0.01 ton/yr
HAPs:	0.0058 lb/ton x	$\frac{2000 \text{ lb/ton}}{600 \text{ ton/hr}}$ x	8760 hr/yr =	15.24 ton/yr

HAPs include benzene, ethylbenzene, formaldehyde, methyl chloroform, naphthalene, toluene, xylene; arsenic, cadmium, chromium, manganese, mercury, and nickel compounds.

conveying / handling

The following calculations determine the amount of emissions created by material handling of aggregate, based on 8760 hours of use and AP-42, Ch 11.19.2

$$E_f = .0032 * \frac{(U/5)^{1.3} * k}{(M/2)^{1.4}} = 0.0026 \text{ lb/ton}$$

where k= 1 (particle size multiplier)
 U = 12 mph mean wind speed (worst case)
 M = 5.18 % moisture

$$P M : 0.0026 \text{ lb/ton} \times \frac{570 \text{ ton/hr}}{2000 \text{ lb/ton}} \times 8760 \text{ hr/yr} = 6.58 \text{ ton/yr}$$

$$P M-10: 10\% \text{ of PM} = 0.66 \text{ ton/yr}$$

unpaved roads

The following calculations determine the amount of emissions created by vehicle traffic on unpaved roads, based on 8760 hours of use and AP-42, Ch 11.2.1.

A. Semi Truck

$$10.18 \text{ trip/hr} \times$$

0.22 mile/roundtrip x
8760 hr/yr = **19618.9** miles per year

$$E_f = k \cdot 5.9 \cdot (s/12) \cdot (S/30) \cdot (W/3)^{0.7} \cdot (w/4)^{0.5} \cdot ((365-p)/365)$$

$$= 4.63 \text{ lb/mile}$$

where k = 0.8 (particle size multiplier)
 s = 4.8 % silt content of unpaved roads
 p = 125 days of rain greater than or equal to 0.01 inches
 S = **10** miles/hr vehicle speed
 W = **28** tons average vehicle weight
 w = 22 wheels

PM: $\frac{4.63 \text{ lb/mi} \times 19618.9 \text{ mi/yr}}{2000 \text{ lb/ton}} = \mathbf{45.46}$ tons/yr

P M-10: 35% of PM = **15.91** ton/yr

B. Tri-axle Truck

7.25 trip/hr x
0.22 mile/roundtrip x
8760 hr/yr = **13972.20** miles per year

$$E_f = k \cdot 5.9 \cdot (s/12) \cdot (S/30) \cdot (W/3)^{0.7} \cdot (w/4)^{0.5} \cdot ((365-p)/365)$$

$$= 3.02 \text{ lb/mile}$$

where k = 0.8 (particle size multiplier)
 s = 4.8 % silt content of unpaved roads
 p = 125 days of rain greater than or equal to 0.01 inches
 S = **10** miles/hr vehicle speed
 W = **21** tons average vehicle weight
 w = 14 wheels

PM: $\frac{3.02 \text{ lb/mi} \times 13972.2 \text{ mi/yr}}{2000 \text{ lb/ton}} = \mathbf{21.12}$ tons/yr

P M-10: 35% of PM = **7.39** ton/yr

C. Front End Loader

70.36 trip/hr x
0.1 mile/roundtrip x
8760 hr/yr = **61635.36** miles per year

$$E_f = k \cdot 5.9 \cdot (s/12) \cdot (S/30) \cdot (W/3)^{0.7} \cdot (w/4)^{0.5} \cdot ((365-p)/365)$$

$$= 2.30 \text{ lb/mile}$$

where k = 0.8 (particle size multiplier)
 s = 4.8 % silt content of unpaved roads
 p = 125 days of rain greater than or equal to 0.01 inches
 S = **10** miles/hr vehicle speed
 W = **35** tons average vehicle weight

w = 4 wheels

$$\text{PM: } \frac{2.30 \text{ lb/mi} \times 61635.36 \text{ mi/yr}}{2000 \text{ lb/ton}} = 70.91 \text{ tons/yr}$$

$$\text{P M-10: } 35\% \text{ of PM} = 24.82 \text{ ton/yr}$$

Total PM: 137.49 tons/yr

Total PM-1 48.12 tons/yr

storage

The following calculations determine the amount of emissions created by wind erosion of storage stockpiles, based on 8760 hours of use and AP-42, Ch 11.2.3.

$$E_f = 1.7 \cdot (s/1.5) \cdot (365-p)/235 \cdot (f/15)$$

$$= 1.27 \text{ lb/acre/day for sand}$$

$$= 1.39 \text{ lb/acre/day for stone}$$

$$= 1.16 \text{ lb/acre/day for slag}$$

$$= 1.16 \text{ lb/acre/day for gravel}$$

$$= 0.93 \text{ lb/acre/day for RAP}$$

where s = 1.1 % silt for sand

s = 1.2 % silt of stone

s = 1.0 % silt of slag

s = 1.0 % silt of gravel

s = 0.8 % silt for RAP

p = 125 days of rain greater than or equal to 0.01 inches

f = 15 % of wind greater than or equal to 12 mph

$$E_p (\text{storage}) = \frac{E_f \cdot sc \cdot (20 \text{ cuft/ton}) \cdot (365 \text{ day/yr})}{(2000 \text{ lb/ton}) \cdot (43560 \text{ sqft/acre}) \cdot (25 \text{ ft})}$$

$$= 0.15 \text{ tons/yr for sand}$$

$$= 0.33 \text{ tons/yr for stone}$$

$$= 0.23 \text{ tons/yr for slag}$$

$$= 0.25 \text{ tons/yr for gravel}$$

$$= 0.14 \text{ tons/yr for RAP}$$

Total PM: 1.10 tons/yr

where sc = 35,000 tons storage capacity for sand

sc = 70,000 tons storage capacity for stone

sc = 60,000 tons storage capacity for slag

sc = 65,000 tons storage capacity for gravel

sc = 45,000 tons storage capacity for RAP

P M-10:	35% of PM =	0.05	tons/yr for sand
	35% of PM =	0.11	tons/yr for stone
	35% of PM =	0.08	tons/yr for slag
	35% of PM =	0.09	tons/yr for gravel
	35% of PM =	0.05	tons/yr for RAP
<hr/>			
Total PM-10:		0.38	tons/yr

II. Allowable Emissions

A1. The following calculations determine compliance with NSPS (subpart I), which limits stack emissions from asphalt plants to 0.04 gr/dscf (if applicable):

$$\begin{aligned}
 & 0.04 \frac{\text{grain}^*}{\text{dscf}} \times \frac{119086 \text{ acfm}^*}{460} \times \frac{528}{460 + 250} \times \frac{100}{100 - 12.00} \times \frac{1 \text{ minute}^*}{7000 \text{ grain}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} = 117.03 \frac{\text{tons PM}}{\text{year}}
 \end{aligned}$$

A2. The following calculations determine compliance with 326 IAC 6-1, which limits stack emissions from asphalt plants to 0.03 gr/dscf (if applicable):

$$\begin{aligned}
 & 0.03 \frac{\text{grain}^*}{\text{dscf}} \times \frac{119086 \text{ acfm}^*}{460} \times \frac{528}{460 + 250} \times \frac{100}{100 - 12.00} \times \frac{1 \text{ minute}^*}{7000 \text{ grain}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} = 87.77 \frac{\text{tons PM}}{\text{year}}
 \end{aligned}$$

III. Limited Potential Emissions

PRIMARY FUEL USAGE LIMITATIONS

A. Natural Gas

$$\frac{20.10 \text{ tons NOx}}{\text{year limited}} / \frac{72.71 \text{ tons NOx}}{\text{year potential}} * \frac{1752.00 \text{ MMCF}}{\text{year potential}} = \frac{484.32 \text{ MMCF}}{\text{year limited}}$$

Secondary fuel equivalence limit based on SO2

$$\frac{\text{secondary emissions (ton/yr)}}{\text{secondary fuel usage (MMCF/yr)}} / \frac{\text{primary emission (ton/yr)}}{\text{primary fuel usage (unit/yr)}} = \frac{\text{N/A}}{\text{Units primary fuel backup burned}}$$

SECONDARY FUEL USAGE LIMITATIONS

B. Fuel Oil: #4 Residual waste oil

$$\frac{14.50 \text{ tons SO2}}{\text{year limited}} / \frac{689.85 \text{ tons SO2}}{\text{year potential}} * \frac{12514.29 \text{ Kgals}}{\text{year potential}} = \frac{263.04 \text{ Kgals}}{\text{year limited}}$$

Secondary fuel equivalence limit based on NOx from natural gas

$$\frac{118.89 \text{ secondary emissions (ton/yr)}}{12514.29 \text{ secondary fuel usage (kgal/yr)}} / \frac{72.71 \text{ primary emission (ton/yr)}}{1752.00 \text{ primary fuel usage (unit/yr)}} = \frac{0.2289 \text{ Units natural gas}}{\text{Kgal burned}}$$

OTHER FUEL USAGE LIMITATIONS

B Fuel Oil: #4 distillate oil

$$\frac{14.50 \text{ tons SO2}}{\text{year limited}} / \frac{462.68 \text{ tons SO2}}{\text{year potential}} * \frac{12338.03 \text{ Kgals}}{\text{year potential}} = \frac{386.66 \text{ Kgals}}{\text{year limited}}$$

Primary fuel equivalence limit based on NOx from natural gas

$$\frac{413.32 \text{ backup emissions (ton/yr)}}{12338.03 \text{ backup fuel usage (kgal/yr)}} / \frac{72.71 \text{ primary emission (ton/yr)}}{1752.00 \text{ primary fuel usage (unit/yr)}} = \frac{0.8072 \text{ Units natural gas fuel}}{\text{Kgal backup burned}}$$

secondary fuel equivalence limit based on SO2 from waste oil

$$\frac{462.68 \text{ backup emissions (ton/yr)}}{12338.03 \text{ backup fuel usage (kgal/yr)}} / \frac{689.85 \text{ secondary emission (ton/yr)}}{12514.29 \text{ secondary fuel usage (unit/yr)}} = \frac{0.6803 \text{ Units primary fuel}}{\text{Kgal backup burned}}$$

C. Fuel Oil: #2 distillate oil

$$\frac{14.50 \text{ tons SO2}}{\text{year limited}} / \frac{450.70 \text{ tons SO2}}{\text{year potential}} * \frac{12695.65 \text{ Kgals}}{\text{year potential}} = \frac{408.45 \text{ Kgals}}{\text{year limited}}$$

Primary fuel equivalence limit based on NOx from natural gas

$$\frac{126.96 \text{ backup emissions (ton/yr)}}{12695.65 \text{ backup fuel usage (kgal/yr)}} / \frac{72.71 \text{ primary emission (ton/yr)}}{1752.00 \text{ primary fuel usage (unit/yr)}} = \frac{0.2410 \text{ Units primary fuel}}{\text{Kgal backup burned}}$$

secondary fuel equivalence limit based on SO2 from waste oil

$$\frac{450.70 \text{ backup emissions (ton/yr)}}{12695.65 \text{ backup fuel usage (kgal/yr)}} \div \frac{689.85 \text{ secondary emission (ton/yr)}}{12514.29 \text{ secondary fuel usage (unit/yr)}} = \frac{0.6440 \text{ Units natural gas fuel}}{\text{Kgal backup burned}}$$

E. Propane/Butane: BUTANE

$$\frac{20.10 \text{ tons NOx}}{\text{year limited}} \div \frac{180.35 \text{ tons NOx}}{\text{year potential}} * \frac{17176.47 \text{ Kgals}}{\text{year potential}} = \frac{1914.32 \text{ Kgals}}{\text{year limited}}$$

Primary fuel equivalence limit based on NOx from natural gas

$$\frac{180.35 \text{ backup emissions (ton/yr)}}{17176.47 \text{ backup fuel usage (kgal/yr)}} \div \frac{72.71 \text{ primary emission (ton/yr)}}{1752.00 \text{ primary fuel usage (unit/yr)}} = \frac{0.2530 \text{ Units primary fuel}}{\text{Kgal backup burned}}$$

secondary fuel equivalence limit based on SO2 from waste oil

$$\frac{\text{backup emissions (ton/yr)}}{\text{backup fuel usage (kgal/yr)}} \div \frac{\text{secondary emission (ton/yr)}}{\text{secondary fuel usage (unit/yr)}} = \frac{\text{N/A}}{\text{Kgal backup burned}}$$

PRODUCTION THROUGHPUT LIMITATIONS

PM limited emissions:

facility emissions (tons/yr)	PM	PM10
dryer burner allowable =	33.1	33.1
conveying =	6.6	0.7
storage piles =	0.6	0.4
unpaved roads =	137.5	48.1
hot oil heater =	0.3	0.1
TOTAL PM =	178.1	178.1 ton/yr
TOTAL PM10 =		82.4 ton/yr

PM after controls:

control Eff.	controlled emissions (tons/yr)	PM	PM10
0.03 gr/dscf	dryer burner allowable =	33.1	33.1
n/a	conveying =	6.6	0.7
50%	storage piles =	0.3	0.2
50%	unpaved roads =	68.7	24.1
n/a	hot oil heater =	0.3	0.1
	controlled PM =		109.0 ton/yr
	controlled PM10 =		58.15 ton/yr

[note: wet suppression of dust for roads and storage piles is not a federally enforceable limit]

COLD MIX CUTBACK ASPHALT PRODUCTION

[based on rapid cure cutback as worst case]

$$22.1 \text{ tons VOC per year} \times \frac{1}{95\% \text{ emitted}} * \frac{1 \text{ gallon diluent}}{.84 \text{ lbs diluent}} * \frac{2000 \text{ lbs}}{\text{ton}} = 7967 \text{ gals of diluent/yr}$$

5.00% % diluent in cutback asphalt mix

$$7967 \text{ gals diluent per year} * (5.84 \text{ lb per gal diluent} + ((1 - \% \text{ diluent}) / \% \text{ diluent}) * 9.18 \text{ lbs per ga}) = 718 \text{ tons/yr limited cutback}$$

Indiana Department of Environmental Management Office of Air Management

Addendum to the Technical Support Document for New Construction and Operation

Source Name:	Rieth Riley Construction Co., Inc.
Source Location:	301 N. Cline Avenue, Gary, Indiana
County:	Lake
Construction Permit No.:	CP-089-8947-03226
SIC Code:	2951
Permit Reviewer:	Janusz Johnson

On December 1, 1997, the Office of Air Management (OAM) had a notice published in The Gary Post Tribune and The Hammond Times in Gary and Munster, Indiana, stating that Rieth Riley Construction Co., Inc., had applied for a permit for construction and operation of a new 600 ton per hour drum-mix hot asphalt manufacturing plant which will replace the existing 300 ton per hour batch-mix plant. The notice also stated that OAM proposed to issue a permit for this installation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On December 31, 1997, the OAM determined that the following changes should be made:

1. Proposed Condition C.7 (Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]) on Page 20 of 45 has been removed because the rule does not apply to sources in Lake County. Condition C.6 shall be changed from:

The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.

to include the fugitive dust control plan language that was part of Condition C.7 as follows (bold emphasis added):

The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9. **Fugitive particulate matter emissions shall be controlled according to the plan submitted on September 4, 1997. The plan consists of:**

- (a) **adequate wet suppression of dust from unpaved roadways on an “as needed” basis,**
- (b) **adequate wet suppression of dust from aggregate storage piles on an “as needed” basis.**

Conditions C.8 through C.25 have been renumbered to account for the deletion of Condition C.7.

2. A typographical error has been corrected in Condition D.1.1 on Page 30 of 45. The next to last sentence of the first paragraph has been changed from:

For purposes of determining compliance each gallon of #4 distillate oil burned shall be equivalent to 0.6803 gallons of #4 waste oil based on SO₂ emissions, and each gallon of #2 distillate oil burned shall be equivalent to 0.6440 gallons of #2 waste oil based on SO₂ emissions.

to the following (bold emphasis added):

For purposes of determining compliance each gallon of #4 distillate oil burned shall be equivalent to 0.6803 gallons of #4 waste oil based on SO₂ emissions, and each gallon of #2 distillate oil burned shall be equivalent to 0.6440 gallons of **#4 waste oil** based on SO₂ emissions.

There is no change in the limitation due to the correction of this typographical error.

3. A pound per hour limitation on particulate matter less than or equal to 10 microns in diameter (PM10) has been added as Condition D.1.6. The new condition is as follows:

D.1.6 Particulate Matter (PM) and Particulate Matter 10 Microns (PM-10)

Pursuant to 326 IAC 2-8-4, emissions of particulate matter and particulate matter 10 microns or less in diameter (PM10) from the aggregate dryer/mixer shall not exceed 20.04 pounds per hour, including both filterable and condensable fractions. Compliance with this limit and D.1.7 will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.

The 20.04 pound per hour limit is based on the allowable emissions level dictated by 326 IAC 6-1-2 as calculated on page 7 of the TSD Appendix A.

The conditions in Section D.1 were renumbered to account for the addition of this new condition.

4. A typographical error has been corrected in proposed Condition D.1.10 (renumbered D.1.11 in the revised permit) on Page 32 of 45. The first sentence has been changed from:

During the period between 180 and 360 days after issuance of this permit, the Permittee shall perform PM and PM-10 testing utilizing Methods 5 or 7 (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.

to correct the testing methods specified as follows (bold emphasis added):

During the period between 180 and 360 days 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.