

**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
and ENHANCED NEW SOURCE REVIEW
OFFICE OF AIR MANAGEMENT**

**E & B Paving, Inc.
500 Erie Stone, Road
Huntington, Indiana 46750**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

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

Operation Permit No.: F069-9198-03166	
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 presented in the permit application.

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

The Permittee owns and operates a stationary double-barrel drum mix asphalt plant, with a maximum capacity of 350 tons per hour.

Responsible Official: Steve Henderson
Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
Mailing Address: 286 West 300 North, Anderson, Indiana 46012
SIC Code: 2951
County Location: Huntington
County Status: Attainment for all criteria pollutants
Source Status: Federally Enforceable State Operating Permit (FESOP)
Minor Source, under PSD

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:

- (1) One (1) 350 ton per hour Astec double-barrel drum mixer, identified as #2, which consists of one (1) 116 million British Thermal Unit per hour (mmBtu/hr) drum mix burner, identified as #3. The drum mix burner utilize natural gas as the primary fuel, and distillate fuel oil no. 2 as the back-up fuel. This facility is controlled by a baghouse, identified as #6,
- (2) One (1) drag slat conveyor,
- (3) One (1) reclaimed asphalt pavement feed system,
- (4) Three (3) asphalt mix storage tanks, identified as #12a through #12c each has a capacity of 25,000 gallons,
- (5) One (1) distillate no. 2 fuel storage tank, identified as #11, with a capacity of 10,000 gallons, and
- (6) One (1) dust storage bin, which exhaust back to the drum mixer.

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).

One (1) hot oil burner, which has a heat input capacity of 2.23 mmBtu/hr.

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.
- (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.

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

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, 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, 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, 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 may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

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

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

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

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

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

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

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

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 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

Failure to notify IDEM, OAM, 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

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, 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, 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

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

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

- (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, on or before the date it is due. [326 IAC 2-5-3]
 - (2) If IDEM, OAM, 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 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 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, 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), 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, 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

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, 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, 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, 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 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, 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 of Nox and SO₂ from the entire source shall each be limited to less than 100 tons per twelve month period. This limitation shall also satisfy the requirements of 326 IAC 2-2 (PSD),
- (2) The potential to emit (PTE) of PM₁₀ from the entire source is less than 100 tons per twelve month period, and PTE for PM from the entire source is less than 250 tons per twelve month period. Therefore, 326 IAC 2-7, (Part 70 permit) and 326 IAC 2-2 (PSD) requirements will not apply.
- (3) The potential to emit of single HAP from the entire source is less than 10 tons per twelve month period. Therefore 326 IAC 2-7 (Part 70 permit) requirements will not apply.
- (4) The potential to emit of combined HAPs from the entire source is less than 25 tons per twelve month period. Therefore 326 IAC 2-7 (Part 70 permit) requirements will not apply.

(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).

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

C.2 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1, 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.3 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 326 IAC 9-1-2.

C.4 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on November 12, 1997. The plan consists of:

- (1) Interior roads and parking lots:
 - (a) Paving with asphalt,
 - (b) Treating with emulsified asphalt on as needed basis,
 - (c) Treating with calcium chloride on as needed basis, and

- (d) Treating with water on as needed basis.
- (2) Aggregate Stockpiles:
 - (1) Clean and maintain stockpiles areas,
 - (2) Treating around the stockpile areas with water on as needed basis, and
 - (3) Treating the stockpiles with water on as needed basis.
- (3) Fugitive particulate matter (dust) from conveying of aggregates shall be controlled by treating water on as needed basis.
- (4) Transferring of Aggregates:
 - (a) Locate stockpiles as close as possible to feed bins,
 - (b) Limit transfer points to three foot drops or less, and
 - (c) Apply water on as needed basis.
- (5) Transportation of Aggregates:
 - (a) Tarping the aggregate hauling vehicles,
 - (b) Insure tailgates are tight and do not leak, and
 - (c) Maintain a 10 mph speed limit on site.
- (6) Loading and Unloading of Aggregates:
 - (a) Limit free fall distance,
 - (b) Limit the rate of discharge of the aggregates,
 - (c) Apply water.

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) is not federally enforceable.

C.6 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.7 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.8 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (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

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.9 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

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.10 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.11 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

- (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.

C.12 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, that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.

- (b) Provide annual certification to IDEM, OAM, that the Risk Management Plan is being properly implemented.

C.13 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 upon request and shall be subject to review and approval by IDEM, OAM. 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.14 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.15 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 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.16 General Record Keeping Requirements [326 IAC 2-8-4(3)(B)]

- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location and available within one (1) hour upon verbal request of an IDEM, OAM 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.17 General Reporting Requirements [326 IAC 2-8-4(3)(C)]

- (a) To affirm that the source has met all the requirements stated in this permit the source shall submit a Quarterly Compliance Report. Any deviation from the requirements and the date(s) of each deviation must be reported.

- (b) The report required in (a) of this condition and reports required by condition 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
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report shall be submitted within thirty (30) days of the end of the reporting period.
- (e) All instances of deviations must be clearly identified in such reports. A reportable deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) An emergency as defined in 326 IAC 2-7-1(12); or
 - (3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.
 - (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.
- A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred or failure to monitor or record the required compliance monitoring is a deviation.
- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

Stratospheric Ozone Protection

C.18 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.

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 40 CFR 52.780, WITH CONDITIONS LISTED BELOW.

Construction Conditions [326 IAC 2-1-3.2]

General Construction Conditions

C.20 This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

- C.21 Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.
- C.22 Pursuant to 326 IAC 2-1-9(b) (Revocation of Permits), IDEM, OAM may revoke this section of the approved permit if construction is not commenced within eighteen (18) months after receipt of this permit or if construction is suspended for a continuous period of one (1) year or more.
- C.23 All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for modifications of construction permits pursuant to 326 IAC 2 (Permit Review Rules).

First Time Operation Permit

- C.24 This document shall also become the first-time operation permit for the facilities under this section of this permit, pursuant to 326 IAC 2-1-4 (Operating Permits) when, prior to start of operation, the following requirements are met:
- (a) The attached affidavit of construction shall be submitted to:
- Indiana Department of Environmental Management
Permit Administration & Development Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015
- verifying that the facilities were constructed as proposed in the application. The facilities covered in this section of this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM.
- (b) If construction is completed in phases; i.e., the entire construction is not done continuously, a separate affidavit must be submitted for each phase of construction. Any permit conditions associated with operation start up dates such as stack testing for New Source Performance Standards (NSPS) shall be applicable to each individual phase.
- (c) The Permittee shall receive an Operation Permit Validation Letter from the Chief of the Permit Administration & Development Section and attach it to this permit.

SECTION D.1

FACILITY OPERATION CONDITIONS

- (1) One (1) 350 ton per hour Astec double-barrel drum mixer, identified as #2, which consists of one (1) 116 million British Thermal Unit per hour (mmBtu/hr) drum mix burner, identified as #3. The asphalt drum-mix burner utilize natural gas as the primary fuel, and distillate fuel oil no. 2 as the back-up fuel. This facility is controlled by a baghouse, identified as #6,
- (2) One (1) drag slat conveyor,
- (3) One (1) reclaimed asphalt pavement feed system,
- (4) Three (3) asphalt mix storage tanks, identified as #12a through #12c each has a capacity of 25,000 gallons,
- (5) One (1) distillate no. 2 fuel storage tank, identified as #11, with a capacity of 10,000 gallons, and
- (6) One (1) dust storage bin, which exhaust back to the drum mixer.

Operation Conditions

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

D.1.1 Particulate Matter Limitation [40 CFR, Part 60.90, Subpart I]

Pursuant to 40 CFR, Part 60.90, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities), the PM emissions from the asphalt drum mixer shall be limited to 0.04 grain per dry standard cubic foot (gr/dscf). This is equivalent to 16.45 pounds per hour at 68,145 actual cubic feet per minute (acfm) air flow rate. Compliance with this condition will also satisfy the limit in 326 IAC 6-3.

D.1.2 Opacity [40 CFR, Part 60.90, Subpart I]

Pursuant to 40 CFR, Part 60.90, Subpart I, the visible emissions from this plant shall not exceed 20 percent opacity. Compliance with this limit shall also satisfy 326 IAC 5-1 (Opacity Limitation).

D.1.3 Nitrogen Oxide (NOx) [326 IAC 2-8]

- (a) Pursuant to 326 IAC 2-8-4, the 116 mmBtu/hr asphalt drum mix burner when using natural gas shall be limited to 320 million cubic feet per year, rolled on a monthly basis. This fuel usage limit will give an equivalent emissions of 88 tons per 12-month period (excluding NOx emissions from insignificant activities).
- (b) During the first 12 months of operation, the fuel usage shall be limited such that the total usage divided by the accumulated months of operation shall not exceed the limit specified.
- (c) Compliance with the limit in condition D.1.3(a) and (b) will make the requirements of 326 IAC 2-7 (Part 70 permit) and 326 IAC 2-2 (PSD) not applicable.

D.1.4 Sulfur Dioxide [326 IAC 2-8]

- (a) Pursuant to 326 IAC 2-8-4, the 116 mmBtu/hr asphalt drum mix burner when using only fuel oil no. 2 as the fuel shall be limited to 2,402,000 gallons per year, rolled on a monthly basis, and a maximum sulfur content of 0.5% of the fuel oil . This fuel usage limit and sulfur content will give an equivalent emissions of 85.25 tons per 12-month period (excluding SO₂ emissions from insignificant activities).

- (b) During the first 12 months of operation, the fuel usage shall be limited such that the total usage divided by the accumulated months of operation shall not exceed the limit specified.
- (c) When fuel oil no. 2 is used as a back-up fuel to natural gas, each fuel oil no. 2 burned is equivalent to 37 cubic foot of natural gas.
- (d) Compliance with the limit in condition D.1.4(a), (b) and (c) will make the requirements of 326 IAC 2-7 (Part 70 permit) and 326 IAC 2-2 (PSD) not applicable.

D.1.5 Sulfur Dioxide [326 IAC 7-1.1]

Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitation), the 116 mmBtu/hr asphalt drum mix burner when combusting fuel oil no. 2 shall be limited to 0.5 pounds per mmBtu heat input, which is equivalent to 58 pounds per hour (lb/hr).

D.1.6 Volatile Organic Compounds [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 or asphalt emulsion containing more than seven percent (7%) oil distillate by volume of emulsion for any paving application except for the following purposes in items (a) through (c) of this condition:

- (a) penetrating prime coating.
- (b) stockpile storage.
- (c) application during the months of November, December, January, February and March.
- (d) The liquified asphalt usage shall be limited to 1,368 tons per year, based on a monthly rolling and a maximum of 7% distillate oil. This liquified asphalt usage limit will give an equivalent VOC emissions of 91 tons per 12-month period.
- (e) During the first 12 months of operation, the liquified asphalt usage shall be limited such that the total usage divided by the accumulated months of operation shall not exceed the limit specified.
- (f) Compliance with the limit in condition D.1.6(d), and (e) will make the requirements of 326 IAC 2-7 (Part 70 permit) and 326 IAC 2-2 (PSD) not applicable.

Compliance Determination Requirements

D.1.7 Testing Requirements [326 IAC 2-8-5(1)]

During the period between 6 and 12 months after issuance of this permit, the Permittee shall perform a stack test to demonstrate compliance with the PM grain loading limit in condition D.1.1 utilizing Methods 5 or 17 (40 CFR 60, Appendix A) 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.

D.1.8 Opacity Reading [40 CFR, Part 60.90, Subpart I]

Pursuant to 40 CFR, Part 60.90, Subpart I, opacity limit in condition D.1.2 shall be determined

using Method 9.

D.1.9 Sulfur Dioxide Emissions and Sulfur Content

Compliance shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-7, the Permittee shall demonstrate that the fuel oil no. 2 sulfur content does not exceed five-tenths percent (0.5%) by weight by:
 - (1) Providing vendor analysis of fuel delivered, if accompanied by a certification;
 - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling; or
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 116 mmBtu per hour asphalt drum mixer dryer, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

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

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

D.1.10 Baghouse Operation

The baghouse #6 shall be in operation at all times when the asphalt drum mixer dryer is in operation.

D.1.11 Parametric Readings

- (a) The Permittee shall take readings of the total static pressure drop across the bag, at least once per day. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the pressure drop across the bag shall be maintained at 3 inches to 6 inches of water, or pressure determined from a compliance stack test.

The Preventive Maintenance Plan for these baghouses shall contain troubleshooting contingency and corrective actions for when the pressure reading is outside of this range for any one reading.
- (b) The instrument used for determining the pressure shall be subject to approval by IDEM, OAM, and shall be calibrated at least once every six (6) months.
- (c) The gauge employed to take the pressure drop across the bags or any part of the facility shall have a scale such that the expected normal reading shall be no less than 20 percent of full scale and be accurate within $\pm 2\%$ of full scale reading. The instrument shall be quality assured and maintained as specified by the vendor.
- (d) In the event that a bag's failure has been observed:
 - (i) The affected compartments will be shut down immediately until the failed units

have been replaced.

- (ii) Based upon the findings of the inspection, any additional corrective actions will be devised within eight (8) hours of discovery and will include a timetable for completion.

D.1.12 Visible Emissions Notations

- (a) Daily visible emission notations of the asphalt plant 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.

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

D.1.13 Record Keeping Requirements

- (a) Operational Parameters- The Permittee shall maintain the daily visible emission notations, and the daily pressure drop across the bag, for baghouse #6.
- (b) To document compliance with Conditions D.1.7 and D.1.11 the Permittee shall maintain the following:
 - (1) Daily records of the following operational parameters during normal operation:
 - (A) Inlet and outlet differential static pressure; and
 - (B) Cleaning cycle: frequency and differential pressure
 - (2) Documentation of all response steps implemented, per event .
 - (3) Operation and preventive maintenance logs, including work purchases orders, shall be maintained.
 - (4) Quality Assurance/Quality Control (QA/QC) procedures.
 - (5) Operator standard operating procedures (SOP).
 - (6) Manufacturer's specifications or its equivalent.
 - (7) Equipment "troubleshooting" contingency plan.

- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.
- (d) The Permittee shall maintain monthly records at the site of the following values:
 - (1) Amount of each fuel used;
 - (2) Average sulfur content of the fuel oil no. 2 used;
 - (3) Average higher heating value of any fuel used;
 - (4) Average sulfur dioxide emission rate (expressed in pounds per million Btu);
 - (5) Calendar dates covered in the compliance determination period;
 - (6) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;
 - (7) 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
 - (8) 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.

- (e) Pursuant to 40 CFR Part 60.116b, Subpart Kb, the owner/operator of the three (3) 25,000 gallon asphalt storage tanks shall keep records showing the tanks dimensions and their capacities for the life of the source.
- (f) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.14 Reporting Requirements

- (a) The Permittee shall submit reports of calendar month sulfur content, heat content, fuel consumption, and sulfur dioxide rate in pounds per mmBtu upon request to the Office of Air Management (OAM).
- (b) A quarterly summary of the information to document compliance with Conditions D.1.3,

D.1.4, and D.1.6 shall be submitted to the address listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

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

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

Source Name: E & B Paving, Inc.
Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
Mailing Address: 286 West 300 North, Anderson, Indiana 46012
FESOP No.: F-069-9198-03166

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**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) and ENSR
 Quarterly Report**

Source Name: E & B Paving, Inc.
 Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
 Mailing Address: 286 West 300 North, Anderson, Indiana 46012
 FESOP No.: F-069-9198-03166
 Pollutants: Nitrogen Oxide
 Sulfur Dioxide
 Limit: Natural Gas Usage: 320 MMCF/12 months, rolled on a monthly basis

Month: _____ Year : _____

Month	Natural Gas Usage (MMCF/mo)	Fuel Oil No. 2 Usage (Kgal/mo)	Natural Gas Equivalent (MMCF/mo) (1 gal Fuel oil = 37 CF of Natural Gas)	Total Natural Gas Usage (Kgal/mo)
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				

Note: Every 1 gallon of fuel oil no. 2 burned, will be equivalent to 37 CF of natural gas.

Submitted by: _____
 Title/Position: _____
 Signature: _____
 Date: _____
 Phone No.: _____

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) and ENSR
 Quarterly Report**

Source Name: E & B Paving, Inc.
 Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
 Mailing Address: 286 West 300 North, Anderson, Indiana 46012
 FESOP No.: F-069-9198-03166
 Facility: 116 mmBtu/hr drum mix asphalt burner, ID #3
 Parameter: Average sulfur content of fuel, average heating value of fuel, and fuel oil no. 2 usage

Limits: Fuel Oil Usage - 2,402,000 gallons/12 months, rolled on a monthly basis.
 Sulfur Content - Maximum of 0.5%

Note: These limits only apply if Fuel oil No. 2 is used as the only fuel combusted.

Month: _____ Year : _____

Month	Column 1			Column 2	Column 1 + 2
	Average Sulfur Content of Fuel Oil No. 2 This Month (%)	Average Heating Value of Fuel Oil No. 2 This Month (Btu/gal)	Fuel Oil No. 2 Usage This Month (Kgal/mo)	Kgal Fuel Oil No. 2 Usage Previous 11 Months	Kgal Fuel Oil No. 2 Usage 12 Month Total

Submitted by: _____
 Title/Position: _____
 Signature: _____
 Date: _____
 Phone No.: _____

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) and ENSR
 Quarterly Report**

Source Name: E & B Paving, Inc.
 Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
 Mailing Address: 286 West 300 North, Anderson, Indiana 46012
 FESOP No.: F-069-9198-03166
 Facility: Asphalt Mixer
 Pollution: VOC
 Limits: Liquified Asphalt usage - 1,368 tons per 12-months, based on a rolling monthly
 Distillate Content - Maximum of 7%

Month: _____ Year : _____

Month	Column 1		Column 2	Column 1 + 2
	Average Distillate Oil Content This Month (%)	Liquified Asphalt Usage This Month (tons/month)	Tons Liquified Asphalt Usage Previous 11 Months	Tons Liquified Asphalt Usage for 12 Month Total

Submitted by: _____
 Title/Position: _____
 Signature: _____
 Date: _____
 Phone No.: _____

**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**

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

Source Name: E & B Paving, Inc.
Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
Mailing Address: 286 West 300 North, Anderson, Indiana 46012
FESOP No.: F-069-9198-03166

This form consists of 2 pagesPage 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: _____

**OFFICE OF AIR MANAGEMENT
 COMPLIANCE DATA SECTION**

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

Source Name: E & B Paving, Inc.
 Source Address: 500 Erie Stone Road, Huntington, Indiana 46750
 Mailing Address: 286 West 300 North, Anderson, Indiana 46012
 FESOP No.: F-069-9198-03166

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 Conditions D.1.2, D1.3, D1.4 and D1.6)	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

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

Source Background and Description

Source Name:	E & B Paving, Inc.
Source Location:	500 Erie Stone Road, Huntington, Indiana 46750
County:	Huntington
FESOP No.:	F-069-9198-03166
SIC Code:	2951
Permit Reviewer:	Aida De Guzman

The Office of Air Management (OAM) has reviewed an application from E & B Paving, In. relating to the construction and operation of a new stationary Astec double-barrel drum mixed asphalt plant with a maximum capacity of 350 tons per hour.

Permitted Emission Units and Pollution Control Equipment

This is a proposed new plant and therefore, no permitted facilities are operating at this source during this review process.

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

- (1) One (1) 350 ton per hour Astec double-barrel drum mixer, identified as #2, which consists of one (1) 116 million British Thermal Unit per hour (mmBtu/hr) drum mix burner, identified as #3. The drum mix burner utilize natural gas as the primary fuel, and distillate fuel oil no. 2 as the back-up fuel. This facility is controlled by a baghouse, identified as #6,
- (2) One (1) drag slat conveyor,
- (3) One (1) reclaimed asphalt pavement feed system,
- (4) Three (3) asphalt mix storage tanks, identified as #12a through #12c each has a capacity of 25,000 gallons,
- (5) One (1) distillate no. 2 fuel storage tank, identified as #11, with a capacity of 10,000 gallons,
- (6) One (1) dust storage bin, which exhaust back to the drum mixer

Unpermitted Emission Units and Pollution Control Equipment

This is a proposed new plant and therefore, no unpermitted facilities are operating at this source during this review process.

Insignificant Activities

One (1) hot oil burner, which has a heat input capacity of 2.23 mmBtu/hr.

Recommendation

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

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

An administratively complete FESOP and ENSR application for the purposes of this review was received on November 12, 1997.

This proposed permit will also satisfy the construction permit requirements.

Stack Summary

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (°F)
SV-1	asphalt drum mixer	30.25	4' 1 5/8 x 2	68,145	280
SV-2	hot oil burner	9	0.33	350	500
SV-3	asphalt storage tanks	39	0.33	16	300
SV-4	fuel oil no.2 storage tank	9	0.33	16	300

Recommendation

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

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

An application for the purposes of this review was received on September 2, 1997, with additional information received on October 31, 1997, November 21, 1997, and December 5, 1997.

Emissions Calculations

(1) Asphalt drum mixer (See spreadsheet pages 1 through 7)

(2) 2.35 mmBtu/hr hot oil burner: see spreadsheet page 8 and 9 of TSD Appendix A

Total Potential and Allowable Emissions

Indiana Permit Allowable Emissions Definition (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)	72.3	22,031.8
Particulate Matter (PM10)	24.5	5,123.0
Sulfur Dioxide (SO ₂)	254	263.5
Volatile Organic Compounds (VOC)	2.15	2.15
Carbon Monoxide (CO)	38.9	38.9
Nitrogen Oxides (NO _x)	352	352
Single Hazardous Air Pollutant (HAP)	5.4	5.4
Combination of HAPs	6.7	6.7

(1) Allowable emissions are determined from the applicability of rule 326 IAC 6-3, NSPS, 40 CFR 60.90, Subpart I. The asphalt drum mixer shall have an allowable PM emissions using the more stringent between the following equations:

(a) 326 IAC 6-3: Process weight rate:

$$E = 55 P^{0.11} - 40$$

Where: E = PM allowable emissions, lb/hr
 P = Process weight rate, ton/hr

$$E = 55 (350)^{0.11} - 40$$

$$E = 64.7 \text{ lb/hr}$$

$$= 283.4 \text{ ton/yr}$$

(b) NSPS, Part 60.90, Subpart I

The NSPS limits the PM emissions from the asphalt plant to 0.04 grain per dry standard cubic foot (gr/dscf).

$$0.04 \text{ gr/dscf} * 68145 \text{ acfm} * \frac{528}{460 + 280 \text{ temp}} * \frac{100 - 1.3\% \text{ moisture}}{100}$$

$$* 525600 \text{ minute/yr} * \text{lb}/7000 \text{ grain} * \text{ton}/2000 \text{ lb} = 72.07 \text{ ton PM/yr}$$

Since this federal rule is more stringent than the state rule, 326 IAC 6-3, therefore the PM allowable emissions for the drum asphalt mixer is 72.07 ton per year or an equivalent of 16.45 lb/hr. Compliance with the NSPS grain loading allowable emissions will also satisfy 326 IAC 6-3.

Potential To Emit

The source has requested a monthly rolling averaging time for the recordkeeping on their limits in (a) and (b). Therefore, the sourcewide limits will be based on 11/12ths of the FESOP limits.

- (a) The source has accepted a federally enforceable limit on potential to emit NO_x of 91 tons per year, consisting of:
 - (i) 88.0 tons per year for the significant activities; and
 - (ii) 2.8 tons per year for the insignificant activities.
- (b) The source also accepted a federally enforceable limit on potential to emit SO₂ of 91 tons per year, when fuel oil #2 is used as the primary fuel without using any other type of fuel consisting of:
 - (i) 85.3 tons per year for the significant activities; and
 - (ii) 5.5 tons per year for the insignificant activities.
- (c) The table below summarizes the total limited potential to emit of the significant and insignificant emission units. The fuel usage limits to give the below SO₂ and NO_x PTE, are found on page 6 of 7 Appendix A Emission Calculations.

Process/ facility	Potential To Emit	
	SO ₂	NO _x
Significant Activities	85.3	88.0
Insignificant Activities	5.5	2.8
Total Emissions	90.8	90.8

County Attainment Status

Pollutant	Status
TSP	attainment or unclassifiable

PM-10	attainment or unclassifiable
SO ₂	attainment or unclassifiable
VOC	attainment or unclassifiable
NOC	attainment or unclassifiable
CO	attainment or unclassifiable

Source Status

New Source PSD 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	72.3
PM10	24.5
SO ₂	91.0
VOC	0.86
CO	13.5
NO _x	91.0
Single HAP	1.5
Combination HAPs	2.6

This new source is **not** a major stationary source because no attainment pollutant is emitted at a rate of 250 tons per year or greater and it is not in one of the 28 listed source categories. Therefore, pursuant to 326 IAC 2-2, and 40 CFR 52.21, the PSD requirements do not apply.

Part 70 Permit Determination

326 IAC 2-8 (Federally State Operating Permit) and 326 IAC 2-7 (Part 70 Permit Program)
This new source is subject to the Part 70 Permit requirements because the potential to emit (PTE) of:

- (a) PM10, NO_x and SO₂ is greater than 100 tons per year.
- (b) This source, otherwise required to obtain a Title V permit, has agreed to accept a permit with federally enforceable limits that restrict its PTE to below the Title V emission levels. Therefore this source will be issued a Federally Enforceable State Operating Permit (FESOP), pursuant to 326 IAC 2-8.
- (c) This will be the first air approval issued to this source.

Federal Rule Applicability

- (1) New Source Performance Standards

40 CFR Part 60.90, Subpart, I - Standards of Performance for Hot Mix Asphalt Facilities, which commences construction or modification after June 11, 1973: The Astec drum-mix asphalt facility is subject to this NSPS. Pursuant to Part 60.92 through Part 60.93, the following applies to the facility:

- (c) The Astec drum-mix asphalt facility shall not emit PM in excess of 0.04 grain per dry standard cubic foot (gr/dscf),
 - (d) The visible emissions from this facility shall not exceed twenty percent (20%) opacity or greater, and
 - (e) The owner or operator of the facility shall conduct performance tests to demonstrate compliance with the PM standard of 0.04 gr/dscf, using Method 5, and Method 9 to determine opacity.
- (2) 40 CFR, Part 60.110, Subpart Kb - Standards of performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
- (a) The proposed three (3) 25,000 gallon (94m³) asphalt storage tanks are subject to this NSPS.

Pursuant to Part 60.116b Monitoring of Operations, the owner/operator of these three asphalt storage tanks shall keep records for the life of the source, showing their dimensions and an analysis showing their capacities.
 - (b) The proposed distillate #2 fuel oil storage tank with a capacity of 10,000 gallons (37.8 m³) is not subject to this NSPS, because its capacity is less than 40 m³.
- (3) National Emissions Standards for Hazardous Air Pollutants:
There are no NESHAPs, 40 CFR Part 63, applicable to this source.

State Rule Applicability

- (1) 326 IAC 2-2 (PSD)
This facility is not subject to 326 IAC 2-2, because the PM, SO₂ and NO_x are each limited below 250 tons per year.
- (2) 326 IAC 2-6 (Emission Reporting)
This facility is not subject to 326 IAC 2-6 (Emission Reporting), because the source potential to emit for NO_x and SO₂ are limited below 100 tons/yr.
- (3) 326 IAC 6-3 (Process Weight)

The asphalt drum mixer shall have an allowable PM emissions using the following equation:

- (1) 326 IAC 6-3: Process weight rate:

$$E = 55 P^{0.11} - 40$$

Where: E = PM allowable emissions, lb/hr
P = Process weight rate, ton/hr

$$\begin{aligned} E &= 55 (350)^{0.11} - 40 \\ E &= 64.7 \text{ lb/hr} \\ &= 283.4 \text{ ton/yr} \end{aligned}$$

The asphalt plant is subject to the NSPS, Part 60.90, Subpart I, which limits the PM emissions from the asphalt plant to 0.04 grain per dry standard cubic foot (gr/dscf). The NSPS PM limit is more stringent than the PM limit under 326 IAC 6-3, (see calculation on page 5 of 7 of the spreadsheet). Therefore, the plant is subject to the NSPS limit.

The source is in compliance with this grain loading requirement using a baghouse with a grain loading of 0.04 gr/dscf. Compliance with the grain loading also satisfies 326 IAC 6-3 rule.

- (4) 326 IAC 6-2 (Particulate Emissions Limitations for Sources of Indirect Heating)
The 116 mmBtu/hr drum mix burner and the 2.35 mmBtu/hr hot oil burner are not subject to this rule, because they are not source of indirect heating.
- (4) 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels (VOL))
This rule only applies to VOL tanks in nonattainment counties. It does not apply to the three (3) 25,000 gallons asphalt storage tanks and one (1) 10,000 gallons fuel oil tank, because these tanks are not located in a nonattainment county.
- (6) 326 IAC 8-5-2 (Asphalt Paving)
This source is subject to this rule, which requires that no person shall cause or allow the use of cutback or asphalt emulsion containing more than seven percent (7%) oil distillate by volume of emulsion for any paving application except for the following purposes:
- (a) penetrating prime coating;
 - (b) stockpile storage; and
 - (c) application during the months of November, December, January, February and March.

The source is in compliance with this rule, using 3% of oil distillate by volume of emulsion.

Maximum usage of liquified asphalt at 1330 ton/yr, using maximum of 7% of distillate oil.

$$\begin{aligned} \text{VOC emissions} &= 1330 \text{ ton/yr} * 7\% * 95\% \text{ flash off} \\ &= 88.4 \text{ ton/yr} \end{aligned}$$

$$\begin{aligned} \text{Liquified asphalt usage limit} &= 91 \text{ ton/yr} / 7\% / 95\% \text{ flash off} \\ &= 1368 \text{ ton/yr} \end{aligned}$$

- (7) 326 IAC 2-1-3.4 (New Source Air Toxics Control)
This rule is not applicable, because the source is not major for HAPs emissions.
- (8) 326 IAC 7-1.1(Sulfur Dioxide Emission Limitation)
- (1) The 116 mmBtu/hr drum mix dryer when using fuel oil no. 2 as the fuel is subject to this rule, with potential SO₂ emissions of 257.6 tons per year, and a PTE of 91 tons of SO₂ when using fuel oil as the only fuel used, exceeding the applicability level of 25 tons per year.
- This rule limits the SO₂ emission to 0.5 pounds per mmBtu heat input. 0.5 lb/mmBtu * 116 mmBtu/hr * 8760 hr/yr * ton/2000 lb = 254 ton SO₂/yr, since this limit exceeds 93 tons per year (excluding insignificant activities) of 5.6 tons/yr), the fuel oil no. 2 usage will be limited to 0.5% sulfur content and the following throughput, in order for the SO₂ emissions stay at this level.
- $$\begin{aligned} \text{Throughput limit} &= \frac{93 \text{ ton/yr}}{257.7 \text{ ton/yr}} \cdot \text{SO}_2 \text{ limit from this dryer} * (7258 \text{ kgal, Pot' throughput}) \\ &= 2620 \text{ kgal of fuel oil no.2} * (11/12) \\ &= 2402 \text{ kgal of fuel oil no. 2} \end{aligned}$$
- (2) The 2.23 mmBtu/hr burner is not subject to 326 IAC 7-1, because its potential emissions of 5 tons of SO₂ per year or 1.14 pounds per hour are below the PTE applicability levels of 25 tons of SO₂ per year, or 10 pounds per hour.

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) Drum mix baghouse shall be in operation at all times when the asphalt drum mix is in operation.
- (b) The Permittee shall record the total static pressure drop of the baghouse used to control the PM and PM10 from the asphalt drum mixer, at least once weekly when it is in operation. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across baghouse shall be maintained at a pressure drop of 3 to 6 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.
- (c) Natural gas fuel usage, to limit the Nox emissions to 99 tons per year and fuel oil usage to limit the SO2 emissions if fuel oil is used as the main fuel without any other fuel.

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) Construction Permit Application Form Y.

- (a) This new 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 page 2 of 7 of the spreadsheet for detailed air toxic calculations.

Conclusion

The construction of this Astec double-barrel drum mix plant will be subject to the conditions of the attached proposed **FESOP and ENSR Permit No.069-9198, Pit ID 069-03166.**

**Appendix A: Emission Calculations
 Natural Gas Combustion Only
 MM Btu/hr 0.3 - < 10
 Commercial Boiler**

Company Name: E & B Paving, Inc.
Address City IN Zip: 500 Erie Stone Rd., Huntington, IN 46750
FESOP: F069-9198
Plt ID: 069-03166
Reviewer: Aida De Guzman
Date: 11/12/97

Heat Input Capacity
MMBtu/hr

Potential Throughput
MMCF/yr

2.2

19.5

Pollutant

	PM	PM10	SO2	NOx	VOC	CO
Emission Factor in lb/MMCF	12.0	12.0	0.6	100.0	5.3	21.0
Potential Emission in tons/yr	0.1	0.1	0.0	1.0	0.1	0.2

Methodology

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Emission Factors for NOx: uncontrolled = 100, Low Nox Burner = 17, Flue gas recirculation = 36

Emission Factors for CO: uncontrolled = 21, Low NOx Burner = 27, Flue gas recirculation = ND

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu

Emission Factors from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, and 1.4-3, SCC #1-03-006-03

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

**Appendix A: Emissions Calculations
Commercial/Institutional/Residential Combustors
#1 and #2 Fuel Oil**

Company Name: E & B Paving, Inc.
Address, City IN Zip: 500 Erie Stone Rd, Huntington, IN 46750
FESOP: F069-9198
Pit ID: 069-03166
Reviewer: Aida De Guzman
Date: 11/12/97

Heat Input Capacity Potential Throughput S = Weight % Sulfur
MMBtu/hr kgals/year

 139.534286

Emission Factor in lb/kgal	Pollutant				
	PM	SO2	NOx	VOC	CO
	2.0	71 (142.0S)	20.0	0.34	5.0
Potential Emission in tons/yr	0.1	5.0	1.4	0.0	0.3

Methodology

1 gallon of No. 2 Fuel Oil has a heating value of 140,000 Btu

Potential Throughput (kgals/year) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1kgal per 1000 gallon x 1 gal per 0.140 MM Btu

Emission Factors are from AP 42, Tables 1.3-2 and 1.3-4 (SCC 1-03-005-01/02/03)

Emission (tons/yr) = Throughput (kgals/ yr) x Emission Factor (lb/kgal)/2,000 lb/ton

Appendix A: Emission Calculations

Company Name: **E & B Paving, Inc.**
 Plant Location: **500 Erie Stone Road, Huntington, IN 46750**
 County: **Huntington**
 FESOP No.: **F069-9198**
 Plt. ID: **069-03166**
 Date Received: **11/12/97**
 Permit Reviewer: **Aida De Guzman**

I. Potential Emissions
A. Source emissions before controls

(gas/>100MMBTU/uncontrolled)

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:	116 MMBtu/hr * 8760 hr/yr 1000 Btu/cf * 2000 lb/ton	* Ef (lb/MMcf) = (ton/yr)	Fuel Usage (MMCF/yr): 1016.16
P M:	13.7 lb/MMcf =	6.96 ton/yr	
P M-10:	13.7 lb/MMcf =	6.96 ton/yr	
S O x:	0.6 lb/MMcf =	0.30 ton/yr	
N O x:	550.0 lb/MMcf =	279.44 ton/yr	
V O C:	2.8 lb/MMcf =	1.42 ton/yr	
C O:	40.0 lb/MMcf =	20.32 ton/yr	

Based on Nox emissions limit of 96 tons/yr, the rest of the pollutant from the natural gas combustion will be scaled down as follows:

PM:	$\frac{96 \text{ ton/yr NOx limit}}{279 \text{ ton/yr, NOx pot'l. emissions}}$	* (6.96 ton/yr , PM pot'l. emissions) = 2.4 ton/yr
SOX:	$\frac{96 \text{ ton/yr NOx limit}}{279 \text{ ton/yr, NOx pot'l. emissions}}$	* (0.3 ton/yr SOX pot'l. emissions) = 0.1 ton/yr
VOC:	$\frac{96 \text{ ton/yr NOx limit}}{279 \text{ ton/yr, NOx pot'l. emissions}}$	* (1.42 ton/yr, VOC pot'l. emissions) = 0.5 ton/yr
C O:	$\frac{96 \text{ ton/yr NOx limit}}{279 \text{ ton/yr, NOx pot'l. emissions}}$	* (20.3 ton/yr, CO pot'l. emissions) = 7.0 ton/yr

(Distillate Oil)

The following calculations determine the amount of emissions created by #2 distillate fuel oil @ 0.486% sulfur, based on 8760 hours of use and EPA SCC#3-05-002-08:

Pollutant:	116 MMBtu/hr * 8760 hr/yr *1000000 Btu/MMBtu	* Ef (lb/1000 gal) = (ton/yr)	Fuel Usage (kgal/yr): 7258.00
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E & B Paving, Inc.
Huntington, Indiana
FESOP: 069-9198-03166