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

Milestone Contractors, L.P. (Portable)

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

This permit is issued 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.: F-079-9252-05164	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	Issuance Date:

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

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

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

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]

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

Portable Source Requirement

Stratospheric Ozone Protection

SECTION D.1 FACILITY OPERATION CONDITIONS

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

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 portable counterflow drum hot mix asphalt plant with a maximum production capacity of 440 tons per hour.

Responsible Official:	Ron Terrell
Current Source Address:	1800 N. County Rd. 20W., North Vernon, IN 47265
Mailing Address:	P.O. Box 421459, Indianapolis, IN 46242-1459
SIC Code:	2951
Current County Location:	Jennings
County Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under Emission Offset Rules

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

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

1. one (1) 440 ton per hour capacity hot mix asphalt drum mixer, identified as number three, with one (1) 135 million Btu per hour heat input capacity asphalt drum mixer burner, identified as number four, firing waste oil as a primary fuel and #2 distillate oil as a backup fuel, controlled by:
   (a) one (1) baghouse, identified as number eight, exhausting with one (1) 89,370 cubic feet per minute exhaust fan to stack S - 1 and also exhausting to the dust return system,
   (b) one (1) baghouse attached knockout box, identified as number nine, with one (1) dust return auger, exhausting to the number eight baghouse and also exhausting back to the drum mixer,
   (c) one baghouse dust return system, identified as number ten, consisting of:
      (i) one (1) return auger,
      (ii) one (1) weigh auger, and
      (iii) one (1) dust blower system,
      exhausting to the dust silo system,
   (d) one dust silo system, identified as number eleven, consisting of:
      (i) one (1) 2200 cubic foot dust silo,
      (ii) one (1) weigh auger, and
      (iii) one (1) silo baghouse,
      with the silo baghouse exhausting to the baghouse attached knockout box, identified as number nine, and the silo exhausting back to the drum mixer, and
   (e) one (1) drum mixer hydrocarbon capture system, identified as number five;

2. one (1) five bin transportable aggregate cold feed system, identified as number one, consisting of:
   (a) five (5) feeder conveyors,
   (b) one (1) collector conveyor,
   (c) one (1) access conveyor,
   (d) one (1) aggregate screen, and

(e) one (1) scale conveyor;

3. one (1) two bin transportable recycled asphalt pavement (RAP) feed system, identified as number three, consisting of:
   (a) two (2) feeder conveyors,
   (b) one (1) collector conveyor,
   (c) one (1) lump breaker,
   (d) one (1) access conveyor,
   (e) one (1) aggregate screen, and
   (f) one (1) scale conveyor;

4. one (1) mix drag slat conveyor, identified as number six;

5. two (2) mix storage silos, each with 400 ton capacities, both identified as number seven, with one (1) top of silo transfer conveyor;

6. one (1) 9.814 million Btu per hour heat input capacity number two distillate fuel oil fired production generator set, identified as number eighteen, exhausting to stacks S - 7A and S - 7B;

7. one (1) 1.2 million Btu per hour heat input capacity number two distillate fuel oil fired nonproduction generator set, identified as number nineteen, exhausting to stack S - 8;

8. two (2) asphalt storage tanks, each with 30,000 gallon capacities, identified as numbers fifteen and sixteen, venting at V - 4 and V - 5; and

9. one (1) 20,000 gallon capacity fuel storage tank, identified as number seventeen, venting at V -6.

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

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

1. one (1) two million Btu per hour number two distillate oil fired heater, exhausting to stack S - 2;

2. other fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing equal to or less than five-tenths percent (0.5 %) sulfur by weight;

3. propane or liquified petroleum gas or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu per hour;

4. combustion source flame safety purging on startup;

5. emissions from a laboratory as defined in 326 IAC 2-7-1 (21)(D);

6. a petroleum fuel other than gasoline dispensing facility, having a storage tank capacity

less than or equal to ten thousand five hundred (10,500) gallons, and dispensing three thousand five hundred (3,500) gallons per day or less;

7. storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons;

8. vessels storing the following:
   (a) lubricating oils
   (b) hydraulic oils
   (c) machining oils
   (d) machining fluids;

9. application of:
   (a) oils
   (b) greases
   (c) lubricants; and
   (d) nonvolatile material;
   as temporary protective coatings;

10. degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months except if subject to 326 IAC 20-6;

11. cleaners and solvents characterized as:
   (a) having a vapor pressure equal to or less than two kilo Pascals (2.0 kPa) (fifteen millimeters of mercury (15 mm Hg) or three-tenths pound per square inch (0.3 psi)) measured at thirty-eight degrees Centigrade (38 °C) (one hundred degrees Fahrenheit (100 °F)); or
   (b) having a vapor pressure equal to or less than seven-tenths kilo Pascal (0.7 kPa) (five millimeters of mercury (5 mm Hg) or one-tenth pound per square inch (0.1 psi)) measured at twenty degrees Centigrade (20 °C) (sixty-eight degrees Fahrenheit (68 °F));
   the use of which, for all cleaners and solvents combined, does not exceed one hundred forty-five (145) gallons per twelve (12) months;

12. closed loop heating and cooling systems;

13. replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment; and

14. paved and unpaved roads and parking lots with public access.

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

This portable source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) 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)]

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 April 15 of each year to:

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

(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

[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)]

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM 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), 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 CONSTRUCTION AND OPERATION CONDITIONS

Entire Portable Source

Construction Conditions [326 IAC 2-1-3.4]

C.1 General Construction Conditions

(a) That the data and information supplied with the application shall be considered part of this permit. Prior to any proposed change in construction which may affect allowable emissions, the change must be approved by the Office of Air Management (OAM).

(b) That 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.

C.2 Effective Date of the Permit

Pursuant to IC 13-15-5-3, this permit becomes effective upon its issuance.

C.3 Permit Review Rules

That notwithstanding Operation Condition C.5, all requirements and conditions of this construction permit 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).

C.4 First Time Operation Permit [326 IAC 2-1-4]

That this document shall also become a first-time operation 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 the Office of Air Management (OAM), Permit Administration & Development Section, verifying that the facilities were constructed as proposed in the application. The facilities covered in the Construction 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) Permittee shall receive an Operation Permit Validation Letter from the Chief of the Permit Administration & Development Section and attach it to this document.

Operation Conditions

C.5 General Operation Conditions

(a) That the data and information supplied in the application shall be considered part of this permit. Prior to any change in the operation which may result in an increase in allowable emissions exceeding those specified in 326 IAC 2-1-1 (Construction and Operating Permit Requirements), the change must be approved by the Office of Air Management (OAM).

(b) That the permittee shall 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.

C.6 Availability of Permit [326 IAC 2-1-3(l)]

Pursuant to 326 IAC 2-1-3(l), the Permittee shall maintain the applicable permit on the premises of the source and shall make this permit available for inspection by the IDEM, or other public official having jurisdiction.

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

C.7 Overall Source Limit [326 IAC 2-8]

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

(a) Pursuant to 326 IAC 2-8:

(1) The potential to emit any regulated pollutant from the entire source shall be limited to less than one-hundred (100) tons per three hundred sixty-five (365) consecutive day period.

(2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per three hundred sixty-five (365) consecutive day period; and

(3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per three hundred sixty-five (365) consecutive day period.

(b) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21).

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

C.8 Opacity [326 IAC 5-1]

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

(a) Visible emissions shall not exceed an average of thirty percent (30%) opacity in twenty-four (24) consecutive readings as determined by 326 IAC 5-1-4,

(b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.

C.9 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.10 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as

provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

C.11 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). 326 IAC 6-4-2 (4) is not federally enforceable.

C.12 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on December 10, 1997. The plan consists of:

(a) Wet suppression of dust from unpaved roadways, paved roadways, paved and unpaved parking lots, conveying facilities, handling facilities, and storage piles.

(b) Paving with asphalt of unpaved roadways and unpaved parking lots.

(c) Power brooming while wet of paved roads and paved parking lots.

(d) Treating with emulsified asphalt of unpaved roads, unpaved parking lots, and aggregate stockpiles.

(e) Maintaining the minimum size and number of stock piles of aggregate.

(f) Minimization of the vehicular distance between the transfer points.

(g) Enclosing the transfer points of the transfer of aggregates.

(h) Tarping the aggregate hauling vehicles.

(i) Maintaining the vehicle bodies in a condition to prevent leakage.

(j) Maintaining a ten mile per hour (10 mph) speed limit in the yard.

(k) Reducing the free fall distance to a minimum when loading and unloading.

(l) Reducing the rate of discharge of the aggregate when loading and unloading.

C.13 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 units vented to the control equipment are in operation, as described in Section D of this permit.

C.14 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.15 Performance Testing [326 IAC 3-2.1]

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

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

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

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.16 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.17 Maintenance of Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]

(a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.

(b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

C.18 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.19 Pressure Gauge Specifications

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

C.20 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.

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

C.21 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.22 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.23 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.24 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]

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

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

(b) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due.

C.25 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.26 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; and

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

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

(b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

(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.

Portable Source Requirement

C.28 Relocation of Portable Sources [326 IAC 2-1-6(b)]

(a) This permit is approved for operation in all areas of Indiana except Lake and Porter Counties (which are severe nonattainment areas for ozone). This determination is based on the requirements Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3.

(b) A thirty (30) day advance notice of relocation must be given to IDEM, OAM and a "Relocation Site Approval" letter must be obtained before relocating.

(c) The Permittee shall also notify the applicable local air pollution control agency when relocating to or from one of the following:

(1) Madison County - (Anderson Office of Air Management)

(2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)

(3) City of Gary - (Gary Division of Air Pollution)

(4) City of Hammond - (Hammond Department of Environmental Management)

(5) Marion County - (Indianapolis Air Pollution Control Agency)

(6) St. Joseph County - (St. Joseph County Health Department)

(7) Vigo County - (Vigo County Air Pollution Department)

(d) That a valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

Stratospheric Ozone Protection

C.29 Compliance with 40 CFR 82 and 326 IAC 22-1

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

(a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156.

(b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

(c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 FACILITY OPERATION CONDITIONS

(1) one (1) 440 ton per hour capacity hot mix asphalt drum mixer, identified as number three, with one (1) 135 million Btu per hour heat input capacity asphalt drum mixer burner, identified as number four, firing waste oil as a primary fuel and #2 distillate oil as a backup fuel, controlled by:
- (a) one (1) baghouse, identified as number eight, exhausting with one (1) 89,370 cubic feet per minute exhaust fan to stack S - 1 and also exhausting to the dust return system,
- (b) one (1) baghouse attached knockout box, identified as number nine, with one (1) dust return auger, exhausting to the number eight baghouse and also exhausting back to the drum mixer,
- (c) one baghouse dust return system, identified as number ten, consisting of:
  - (i) one (1) return auger,
  - (ii) one (1) weigh auger, and
  - (iii) one (1) dust blower system,

  exhausting to the dust silo system,
- (d) one dust silo system, identified as number eleven, consisting of:
  - (i) one (1) 2200 cubic foot dust silo,
  - (ii) one (1) weigh auger, and
  - (iii) one (1) silo baghouse,

  with the silo baghouse exhausting to the baghouse attached knockout box, identified as number nine, and the silo exhausting back to the drum mixer, and
- (e) one (1) drum mixer hydrocarbon capture system, identified as number five;

(2) one (1) five bin transportable aggregate cold feed system, identified as number one, consisting of:
- (a) five (5) feeder conveyors,
- (b) one (1) collector conveyor,
- (c) one (1) access conveyor,
- (d) one (1) aggregate screen, and
- (e) one (1) scale conveyor;

(3) one (1) two bin transportable recycled asphalt pavement (RAP) feed system, identified as number three, consisting of:
- (a) two (2) feeder conveyors,
- (b) one (1) collector conveyor,
- (c) one (1) lump breaker,
- (d) one (1) access conveyor,
- (e) one (1) aggregate screen, and
- (f) one (1) scale conveyor;

(4) one (1) mix drag slat conveyor, identified as number six;

(5) two (2) mix storage silos, each with 400 ton capacities, both identified as number seven, with one (1) top of silo transfer conveyor;

(6) one (1) 9.814 million Btu per hour heat input capacity number two distillate fuel oil fired production generator set, identified as number eighteen, exhausting to stacks S - 7A and S - 7B;

(7) one (1) 1.2 million Btu per hour heat input capacity number two distillate fuel oil fired nonproduction generator set, identified as number nineteen, exhausting to stack S - 8;

(8) two (2) asphalt storage tanks, each with 30,000 gallon capacities, identified as numbers fifteen and sixteen, venting at V - 4 and V - 5; and

(9) one (1) 20,000 gallon capacity fuel storage tank, identified as number seventeen, venting at V -6.

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

D.1.1 Sulfur Dioxide (SO_2)

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

(a) the input of waste oil to the asphalt drum burner shall be limited to 1,650,226 gallons of waste oil per 365-day period, rolled on a daily basis;

(b) the percent of sulfur in the waste oil to be combusted shall not exceed 0.75% sulfur content by weight;

(c) the percent of sulfur in the #2 distillate fuel oil to be combusted shall not exceed 0.5% sulfur content by weight;

(d) for purposes of determining compliance, every 1000 gallons of #2 distillate fuel oil burned shall be equivalent to 644 gallons of waste oil based on SO_2 emissions;

(e) during the first 365 days of operation under this permit, the input of waste oil and waste oil equivalent (#2 distillate) to the asphalt drum burner shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed 4521 gallons per day;

(f) the input of #2 distillate oil to the two (2) generators shall be limited to 175,000 gallons of #2 distillate per 365-day period, rolled on a daily basis; and

(g) during the first 365 days of operation under this permit, the input of #2 distillate fuel oil to the two (2) generators shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed 479 gallons per day.

These fuel usage and content limitations are equivalent to a total of sulfur dioxide emissions of 99 tons per 365-day period, rolled on a daily basis. The federally enforceable limit on the potential to emit sulfur dioxide (SO_2) shall truncate the potential to emit oxides of nitrogen (NOx) proportionately to less than 100 tons per year. Therefore, 326 IAC 7-1.1 (Sulfur dioxide limitations), 326 IAC 2-3 (Emission Offset rules), and the Part 70 Permit Program (326 IAC 2-7) rules do not apply.

D.1.2 Waste Oil Combustion

The waste oil burned in the asphalt drum burner shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:

(a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),

(b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and

(c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).

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

D.1.3 Particulate Matter (PM) [326 IAC 6-1-2]

Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), particulate matter emissions from the asphalt drum mixer and burner shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf). This emission limitation is equivalent to 14.98 pounds per hour

D.1.4 Particulate Matter (PM) [326 IAC 12]

Pursuant to the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60.93, Subpart I):

(a) particulate matter emissions from the asphalt drum mixer and burner shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf); and

(b) the visible emissions from the plant shall not exceed 20 percent opacity.

This emission limitation is equivalent to 19.97 pounds per hour.

D.1.5 Particulate Matter (PM-10) [326 IAC 2-8]

Pursuant to 326 IAC 2-8 the potential to emit PM-10 from the asphalt drum mixer and burner shall be limited to:

(a) 59.48 tons per three hundred sixty-five (365) consecutive day period; and
(b) 13.58 pounds per hour.

The total source PM-10 emissions are limited at 99 tons per year. These PM-10 limitations are equivalent to 2,428,360 tons of asphalt concrete produced per 365 day period, rolled on a daily basis. During the first 365 days of operation, the asphalt concrete production shall be limited such that the total production divided by the accumulated days of operation shall not exceed 6653 tons per day. Due to the above limit, the Part 70 rules (326 IAC 2-7) do not apply.

D.1.6 Volatile Organic Compounds (VOC)

The VOC emitted from the production of cold mix (stockpile mix) asphalt shall be limited to 93.26 tons per 365 day period, rolled on a daily basis. This is equivalent to 98.16 tons of diluent used per 365 day period in the production of asphalt based on 95% volatilization. During the first 365 days of operation, the diluent usage shall be limited such that the total usage divided by the accumulated days of operation shall not exceed 537 pounds per day. Therefore, 326 IAC 2-3 (Emission Offset) and the Part 70 rules (326 IAC 2-7) do not apply.

D.1.7 Volatile Organic Compounds (VOC) [326 IAC 8-5-2]

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

1) penetrating prime coating,

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

Compliance Determination Requirements

D.1.8 Sulfur Dioxide Emissions and Sulfur Content

Compliance shall be determined utilizing one of the following options.

(a) Pursuant to 326 IAC 3-3-4, the Permittee shall demonstrate that the waste fuel oil sulfur content does not exceed 0.75% by weight and the #2 distillate fuel oil sulfur content does not exceed 0.5% sulfur content 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 asphalt drum mixer and burner, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-2.1.

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

D.1.9 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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

D.1.10 Testing Requirements [326 IAC 2-8-5(1)] [326 IAC 6-1-4(b)]

Within 60 days after achieving the maximum production rate at which the portable hot drum mix asphalt plant will be operated, but not later than 180 days after the initial startup of the facility, the Permittee shall perform particulate matter (PM and PM-10) and opacity testing utilizing Method 5 (40 CFR 60, Appendix A) for PM, Methods 201 or 201A and 202 (40 CFR 51, Appendix M) for PM-10, and Method 9 (40 CFR 60, Appendix A) for opacity, or other methods as approved by the Commissioner. The Permittee shall provide the Administrator at least 30 days prior notice of the test, to afford the Administrator the opportunity to have an observer present. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration.

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

D.1.11 Particulate Matter (PM)

The baghouses for particulate matter control shall be in operation at all times when the aggregate drum dryer and/or aggregate dryer burner are in operation and exhausting to the stack S - 1.

D.1.12 Visible Emissions Notations

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

emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

D.1.13 Parametric Monitoring

(a) The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the aggregate drum mixer and aggregate drum dryer, at least once per working shift when the drum mixer and/or drum dryer is in operation when venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 1.0 to 8.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading. The instrument used for determining the pressure shall comply with Section C - Pressure Gauge Specifications, of this permit, shall be subject to approval by IDEM, OAM and shall be calibrated at least once every six (6) months.

(b) The inlet temperature to the baghouse shall be maintained within a range of 200-400 degrees Fahrenheit (°F) to prevent overheating of the bags and to prevent low temperatures from mudding up the bags. In the event that bag failure has occurred due to rupture, melting, etc., corrective action shall be taken. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the inlet temperature reading is outside of the above mentioned range for any one reading. The baghouse shall shutdown for visual inspection within 24 hours and bags shall be replaced as needed.

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

D.1.14 Record Keeping Requirements

(a) To document compliance with Condition D.1.6, the Permittee shall maintain monthly records at the source of the following values:

(1) Amount of liquid binder used in the production of cold mix asphalt; and

(2) Average diluent content of the liquid binder.

(b) To document compliance with D.1.8, the Permittee shall maintain monthly records at the site of the portable source of the following values:

(1) Calendar dates covered in the compliance determination period;

(2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;

(3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

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

(4) Fuel supplier certifications;

(5) The name of the fuel supplier; and

(6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

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

D.1.15 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.1, D.1.5, and D.1.6 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

D.1.16 Volatile Liquid Storage Tanks

Pursuant to the New Source Performance Standard (NSPS), 326 IAC 12 (40 CFR Part 60.116b only, Subpart Kb), the permittee shall maintain accessible records for the three (3) storage tanks. These records shall include:

(a) the dimensions;

(b) an analysis showing the capacities; and

(c) the identification numbers of the storage vessels.

Records shall be kept for the life of the storage vessels.

D.1.17 Hot Mix Asphalt Facility

Pursuant to the New Source Performance Standards (NSPS), Part 60.90, Subpart I, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times;

(i) Commencement of construction date (no later than 30 days after such date);
(ii) Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
(iii) Actual start-up date (within 15 days after such date); and
(iv) Date of performance testing (at least 35 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to sent to:

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

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

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address: _____
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164

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

Please check what document is being certified:

9 Annual Compliance Certification Letter

9 Emergency/Deviation Occurrence Reporting Form

9 Test Result (specify) _____

9 Report (specify) _____

9 Notification (specify) _____

9 Other (specify) _____

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

Signature:

Printed Name:

Title/Position:

Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT

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

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

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address:
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164

This form consists of 2 pages **Page 1 of 2**

Check either No. 1 or No.2
9 1. This is an emergency as defined in 326 IAC 2-7-1(12) CThe Permittee must notify the Office of Air Management (OAM), within four (**4**) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and CThe Permittee must submit notice in writing or by facsimile within two (**2**) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16
9 2. This is a deviation, reportable per 326 IAC 2-7-5(3)(c) CThe Permittee must submit notice in writing within ten (**10**) calendar days

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

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency/Deviation:
Describe the cause of the Emergency/Deviation:

If any of the following are not applicable, mark N/A **Page 2 of 2**

Date/Time Emergency/Deviation started:
Date/Time Emergency/Deviation was corrected:
Was the facility being properly operated at the time of the emergency/deviation? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency/deviation:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____
Title / Position: _____
Date: _____
Phone: _____

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

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address: _____
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164
Facility: 135 MMBtu/hr burner for the aggegate dryer
Parameter: sulfur dioxide
Limit: Sulfur content of #2 distillate fuel not to exceed 0.50%, sulfur content of waste oil not to exceed 0.75%; and 1,650,226 gallons of waste oil and waste oil equivalent per last 365-day period. For purposes of determining compliance, every 1000 gallons of #2 distillate fuel oil burned shall be equivalent to 644 gallons of waste oil based on SO_2 emissions. During the first 365 days of operation under this permit, the input of waste oil and waste oil equivalent shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed 4521 gallons per day.

Month: _____ **Year:** _____

Day	Fuel Type	Sulfur Content of Fuel Oils (%)	Heat Content of Fuel Oils (Btu/gal)	Re-refined W.O. and equivalent Fuel Usage (gal/day)	Re-refined W.O and equivalent Fuel usage last 365 days (gallons)	Day	Fuel Type	Sulfur Content of Fuel Oils (%)	Heat Content of Fuel Oils (Btu/gal)	Re-refined W.O. and equivalent Fuel Usage (gal/day)	Re-refined W.O and equivalent Fuel usage last 365 days (gallons)
1						17					
2						18					
3						19					
4						20					
5						21					
6						22					
7						23					
8						24					
9						25					
10						26					
11						27					
12						28					
13						29					
14						30					
15						31					
16											

9 No deviation occurred in this month.
9 Deviation/s occurred in this month.
Deviation has been reported on: _____

Submitted by: _____
Title/Position: _____
Signature: _____
Date: _____
Phone: _____

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

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address: _____
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164
Facility: 9.814 MMBtu/hr production generator and 1.2 MMBtu/hr nonproduction generator
Parameter: sulfur dioxide
Limit: Sulfur content of #2 distillate fuel not to exceed 0.50% and 175,000 gallons of #2 distillate fuel oil per last 365-day period. During the first 365 days of operation under this permit, the input of #2 distillate fuel oil shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed 479 gallons per day.

Month: _____ Year: _____

Day	Sulfur Content of Fuel Oils (%)	Heat Content of Fuel Oils (Btu/gal)	#2 Distillate Fuel Usage (gal/day)	#2 Distillate Fuel usage last 365 days (gallons)	Day	Sulfur Content of Fuel Oils (%)	Heat Content of Fuel Oils (Btu/gal)	#2 Distillate Fuel Usage (gal/day)	#2 Distillate Fuel usage last 365 days (gallons)
1					17				
2					18				
3					19				
4					20				
5					21				
6					22				
7					23				
8					24				
9					25				
10					26				
11					27				
12					28				
13					29				
14					30				
15					31				
16									

9 No deviation occurred in this month.
9 Deviation/s occurred in this month.
Deviation has been reported on: _____

Submitted by: _____
Title/Position: _____
Signature: _____
Date: _____
Phone: _____

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

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address: _____
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164
Facility: cold mix asphalt production
Parameter: diluent
Limit: The production of cold mix asphalt shall be limited to 98.16 tons of diluent used per 365 day period, rolled on a daily basis. During the first 365 days of operation, the diluent usage shall be limited such that the total usage divided by the accumulated days of operation shall not exceed 537 pounds per day.

Month: _____ Year: _____

Day	Diluent Content of liquid binder (%)	Diluent Usage (gal/day)	Diluent usage last 365 days (tons)	Day	Diluent Content of liquid binder (%)	Diluent Usage (gal/day)	Diluent usage last 365 days (tons)
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16							

9 No deviation occurred in this month.
9 Deviation/s occurred in this month.
Deviation has been reported on: _____

Submitted by: _____
Title/Position: _____
Signature: _____
Date: _____
Phone: _____

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

FESOP Quarterly Report

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address: _____
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164
Facility: Dryer/Drum Mixer
Parameter: Asphalt Concrete Mix
Limit: The drum mix asphalt plant shall be limited to the production of 2,428,360 tons of asphalt concrete mix per 365 day period, rolled on a daily basis. During the first 365 days of operation, the asphalt concrete production shall be limited such that the total production divided by the accumulated days of operation shall not exceed 6653 tons per day.

Month: _____ **Year:** _____

Day	Asphalt Concrete Mix Produced (tons/day)	Asphalt Concrete Mix Produced last 365 days (tons)	Day	Asphalt Concrete Mix Produced (tons/day)	Asphalt Concrete Mix Produced last 365 days (tons)
1			17		
2			18		
3			19		
4			20		
5			21		
6			22		
7			23		
8			24		
9			25		
10			26		
11			27		
12			28		
13			29		
14			30		
15			31		
16					

9 No deviation occurred in this month.
9 Deviation/s occurred in this month.
Deviation has been reported on: _____

Submitted by: _____
Title/Position: _____
Signature: _____
Date: _____
Phone: _____

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

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY COMPLIANCE REPORT

Source Name: Milestone Contractors, L.P.
Initial Source Address: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current Address: _____
Mailing Address: P.O. Box 421459, Indianapolis, IN 46242-1459
FESOP No.: F-079-9252-05164

Months: _____ **to** _____ **Year:** _____

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

LIST EACH COMPLIANCE REQUIREMENT EXISTING FOR THIS SOURCE:

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

Form Completed By: _____
Title/Position: _____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management
Office of Air Management

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

Source Background and Description

Portable Source Name:	Milestone Contractors, L.P.
Initial Source Location:	1800 N. County Rd. 20W., North Vernon, IN 47265
Initial County:	Jennings
SIC Code:	2951
Operation Permit No.:	F-079-9252-05164
Permit Reviewer:	Jon C. Akin

The Office of Air Management (OAM) has reviewed a Federally Enforced State Operating Permit (FESOP) application from Milestone Contractors, L.P. relating to the operation of a portable counterflow drum hot mix asphalt plant with a maximum capacity of 440 tons per hour.

Permitted Emission Units and Pollution Control Equipment

There are no permitted facilities at this source during this review process.

Unpermitted Emission Units and Pollution Control Equipment Requiring ENSR

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

New Emission Units and Pollution Control Equipment Requiring ENSR

The application includes information relating to the construction and operation of the following equipment:

(1) one (1) 440 ton per hour capacity hot mix asphalt drum mixer, identified as number three, with one (1) 135 million Btu per hour heat input capacity asphalt drum mixer burner, identified as number four, firing waste oil as a primary fuel and #2 distillate oil as a backup fuel, controlled by:
- (a) one (1) baghouse, identified as number eight, exhausting with one (1) 89,370 cubic feet per minute exhaust fan to stack S - 1 and also exhausting to the dust return system,
- (b) one (1) baghouse attached knockout box, identified as number nine, with one (1) dust return auger, exhausting to the number eight baghouse and also exhausting back to the drum mixer,
- (c) one baghouse dust return system, identified as number ten, consisting of:
  - (i) one (1) return auger,
  - (ii) one (1) weigh auger, and
  - (iii) one (1) dust blower system,

  exhausting to the dust silo system,
- (d) one dust silo system, identified as number eleven, consisting of:
  - (i) one (1) 2200 cubic foot dust silo,
  - (ii) one (1) weigh auger, and

(iii) one (1) silo baghouse,
exhausting to stack S - 3 and also exhausting back to the drum mixer, and

(e) one (1) drum mixer hydrocarbon capture system, identified as number five;

(2) one (1) five bin transportable aggregate cold feed system, identified as number one, consisting of:
(a) five (5) feeder conveyors,
(b) one (1) collector conveyor,
(c) one (1) access conveyor,
(d) one (1) aggregate screen, and
(e) one (1) scale conveyor;

(3) one (1) two bin transportable recycled asphalt pavement (RAP) feed system, identified as number three, consisting of:
(a) two (2) feeder conveyors,
(b) one (1) collector conveyor,
(c) one (1) lump breaker,
(d) one (1) access conveyor,
(e) one (1) aggregate screen, and
(f) one (1) scale conveyor;

(4) one (1) mix drag slat conveyor, identified as number six;

(5) two (2) mix storage silos, each with 400 ton capacities, both identified as number seven, with one (1) top of silo transfer conveyor;

(6) one (1) 9.814 million Btu per hour heat input capacity number two distillate fuel oil fired production generator set, identified as number eighteen, exhausting to stacks S - 7A and S - 7B;

(7) one (1) 1.2 million Btu per hour heat input capacity number two distillate fuel oil fired nonproduction generator set, identified as number nineteen, exhausting to stack S - 8;

(8) two (2) asphalt storage tanks, each with 30,000 gallon capacities, identified as numbers fifteen and sixteen, venting at V - 4 and V - 5; and

(9) one (1) 20,000 gallon capacity fuel storage tank, identified as number seventeen, venting at V -6.

Insignificant Activities

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

(1) one (1) two million Btu per hour heat input capacity number two distillate oil fired heater, exhausting to stack S - 2;

(2) other fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing equal to or less than five-tenths percent (0.5 %) sulfur by weight;

(3) propane or liquified petroleum gas or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu per hour;

(4) combustion source flame safety purging on startup;

(5) emissions from a laboratory as defined in 326 IAC 2-7-1 (21)(D);

(6) a petroleum fuel other than gasoline dispensing facility, having a storage tank capacity less than or equal to ten thousand five hundred (10,500) gallons, and dispensing three thousand five hundred (3,500) gallons per day or less;

(7) storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons;

(8) vessels storing the following:
(a) lubricating oils,
(b) hydraulic oils,
(c) machining oils, and
(d) machining fluids;

(9) application of:
(a) oils,
(b) greases,
(c) lubricants, and
(d) nonvolatile material
as temporary protective coatings;

(10) degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months except if subject to 326 IAC 20-6;

(11) cleaners and solvents characterized as:
(a) having a vapor pressure equal to or less than two kilo Pascals (2.0 kPa) (fifteen millimeters of mercury (15 mm Hg) or three-tenths pound per square inch (0.3 psi)) measured at thirty-eight degrees Centigrade (38 °C) (one hundred degrees Fahrenheit (100 °F)), or
(b) having a vapor pressure equal to or less than seven-tenths kilo Pascal (0.7 kPa) (five millimeters of mercury (5 mm Hg) or one-tenth pound per square inch (0.1 psi)) measured at twenty degrees Centigrade (20 °C) (sixty-eight degrees Fahrenheit (68 °F)),
the use of which, for all cleaners and solvents combined, does not exceed one hundred forty-five (145) gallons per twelve (12) months;

(12) closed loop heating and cooling systems;

(13) replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment; and

(14) paved and unpaved roads and parking lots with public access.

Stack Summary

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (^{0}F)
S - 1	Drum Mixer & Burner	32.5	5.083	86523.81	300
S - 2	Hot Oil Heater	8	0.802	936.00	600
S - 3	Dust Silo Baghouse	52	0.417	860.00	200
S - 7A	Production Generator Set	13	0.500	4203.00	975
S - 7B	Production Generator Set	13	0.500	4203.00	975
S - 8	Nonproduction Generator Set	13	0.333	1070.00	1070

Enforcement Issue

There are no enforcement actions pending.

Recommendation

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

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

An incomplete application for the purposes of this review was received on November 25, 1997. Additional information received on December 10, 1997, January 12, 1998, and February 6, 1998 makes the application complete. The issuance of this FESOP and ENSR will satisfy the requirements of the construction permit rules.

Emission Calculations

See Appendix A of this document for detailed emissions calculations (12 pages).

Potential Emissions

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

Pollutant	Potential Emissions (tons/year)
PM	37467.56
PM-10	8720.85

SO_2	484.08
VOC	> 100
CO	67.26
NO_x	298.46

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

HAP's	Potential Emissions (tons/year)
Single HAP	< 2.60
TOTAL HAPs	11.18

(a) The potential emissions (as defined in 326 IAC 1-2-55) of PM, PM-10, SOx, VOC, and NOx are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-1 and 326 IAC 2-7.

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

(c) Fugitive Emissions
Since this type of operation is one of the 28 listed source categories under 326 IAC 2-2, the fugitive particulate matter emissions are counted toward the determination of PSD and Emission Offset applicability.

Actual Emissions

No previous emission data has been received from the source, because this is a new source.

Limited Potential to Emit

The source has accepted a federally enforceable limit on potential to emit sulfur dioxide (SO_2) of 99 tons per year, consisting of:

(a) 91.01 tons per year for the asphalt drum mixer burner, controlled, significant activity;

(b) 3.55 tons per year for the production and nonproduction generator sets; and

(c) 4.44 tons per year for the other, uncontrolled, insignificant activities.

By accepting the federally enforceable limit on the potential to emit sulfur dioxide (SO_2), the input of waste oil to the asphalt drum mixer burner shall be limited to 1,650,226 gallons of waste oil per 365-day period at a maximum sulfur content of 0.75%, rolled on a daily basis and the two (2) generators shall be limited to 175,000 gallons of #2 distillate fuel oil per 365-day period at a maximum sulfur content of 0.50%, rolled on a daily basis. At the request of the applicant, during the first 365 days of operation, the input of fuel oils to these facilities shall be limited such that the total gallons divided by the accumulated days of operation not exceed 4521 gallons of waste oil or waste oil equivalent per day for the asphalt drum burner and 479 gallons of #2 distillate fuel oil per day for the two (2) generators.

The federally enforceable limit on the potential to emit sulfur dioxide (SO_2) will truncate the potential to emit oxides of nitrogen (NOx) proportionately to less than 100 tons per year.

The source has also accepted a federally enforceable limit on potential to emit volatile organic compounds (VOC) of 99 tons per year, consisting of:

(a) 93.26 tons per year for the cold mix gelled asphalt, significant activity;

(b) 0.83 tons per year for the asphalt drum mixer burner;

(c) 4.90 tons per year for the production and nonproduction generator sets; and

(d) 0.01 tons per year for the other, uncontrolled, insignificant activities.

By accepting the federally enforceable limit on the potential to emit volatile organic compounds (VOC), the input of liquid binder with a diluent content of 1% in the production of cold mix gelled asphalt shall be limited to 28,048 gallons of diluent per 365-day period, rolled on a daily basis. At the request of the applicant, during the first 365 days of operation, the input of diluent for the production of cold mix gelled asphalt shall be limited such that the total gallons divided by the accumulated days of operation not exceed 76 gallons of diluent per day.

Additionally, the source has accepted a federally enforceable limit on potential to emit PM-10 of 99 tons per year, consisting of:

(a) 85.31 tons per year for the asphalt drum mixer and burner;

(b) 9.83 tons per year for the fugitive emissions (conveying, handling, vehicular traffic, and storage pile emissions);

(c) 3.80 tons per year for the production and nonproduction generator sets; and

(d) 0.06 tons per year for the other, uncontrolled, insignificant activities.

The source has attained a potential to emit of less than 100 tons per year for PM-10 by use of the baghouses and inherent moisture as control measures.

The table below summarizes the total potential to emit, reflecting all limits, of the significant emission units.

	Limited Potential to Emit* (tons/year)						
Process/facility	PM	PM-10	SO_2	VOC	CO	NO_X	HAPs
Asphalt Drum Mixer/Burner	9.92	2.25	91.01	0.83	4.13	15.68	2.18
Two (2) Generators	3.80	3.80	3.55	4.90	11.64	54.02	-
Hot Oil Heater	0.13	0.06	4.44	0.01	0.31	1.25	-
Cold Mix Asphalt	-	-	-	93.26	-	-	-
Fugitive Emissions**	28.12	9.83	-	-	-	-	-
Total Emissions	41.97	15.94	99.00	99.00	16.08	70.95	2.18

*-limited potential to emit with 175,000 gal/yr limit on the two (2) generators, 1,650,226 gal/yr limit on asphalt drum burner, and controlled emissions on all applicable facilities

**- includes conveying, handling, vehicular traffic, and storage pile fugitive emissions

County Attainment Status

The source will be initially located in Jennings County.

Pollutant	Status
TSP	attainment
PM-10	attainment
SO_2	attainment
NO_2	attainment
Ozone	attainment
CO	attainment
Lead	attainment

(a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Jennings County has been designated as attainment or unclassifiable for ozone.

(b) Jennings County has been classified as attainment for PM, PM-10, NO_X, CO, and SO_2.

Portable Source

(a) Initial Location
This is a portable source and its initial location is 1800 N. County Rd. 20W., North Vernon, IN 47265.

(b) PSD and Emission Offset Requirements
The emissions from this portable source were reviewed under the requirements of the Prevention of Significant Deterioration (PSD), 326 IAC 2-2, 40 CFR 52.21, and Emission Offset, 326 IAC 2-3.

(c) This permit is approved for operation in all areas of Indiana except Lake and Porter Counties (which are severe nonattainment areas for ozone). This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A thirty (30) day advance notice of relocation must be given to IDEM, OAM and a "Relocation Site Approval" letter must be obtained before relocating.

(d) The Permittee shall also notify the applicable local air pollution control agency when relocating to or from one of the following:

(1) Madison County - (Anderson Office of Air Management)

(2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)

(3) City of Gary - (Gary Division of Air Pollution)

(4) City of Hammond - (Hammond Department of Environmental Management)

(5) Marion County - (Indianapolis Air Pollution Control Agency)

(6) St. Joseph County - (St. Joseph County Health Department)

(7) Vigo County - (Vigo County Air Pollution Department)

Federal Rule Applicability

(a) The portable counterflow drum hot mix asphalt mixer and burner are subject to the New Source Performance Standard, 326 IAC 12, (40 CFR 60.90, Subpart I) because it is being constructed after the applicability date of the rule (June 11, 1973). Pursuant to 40 CFR 60.92, the following apply to this facility:

(1) performance tests are required as specified in Subpart I and as outlined in 40 CFR 60.8; and

(2) on or after the date on which the performance tests required to be conducted are completed, no owner or operator subject to the provisions of Subpart I shall discharge into the atmosphere from any affected facility any gases which:

(i) contain particulate matter in excess of 0.04 grains per dry standard cubic foot (dscf), or
(ii) exhibit twenty (20) percent opacity, or greater.

The portable counterflow hot drum mix asphalt mixer and burner discharge to the atmosphere gases which contain 0.0153 grains of particulate matter per dry standard cubic foot (dscf) (11.42 lbs/hr) which is less than 0.04 grains of particulate matter per dry standard cubic foot (dscf) (29.86 lbs/hr), therefore the applicant complies with 326 IAC 12 and 40 CFR 60.92 (a)(1).

(b) The three (3) storage tanks are subject to NSPS, 326 IAC 12, (40 CFR 60.110b, Subpart Kb) because:

(i) the capacities of the three (3) tanks (two (2) @ 113.56 cubic meters and one (1) @ 75.71 cubic meters) are greater than forty (40) cubic meters,

(ii) they are used to store volatile organic liquids (two (2) storing asphalt and one (1) storing waste or fuel oil), and

(iii) they are being constructed after the applicability date of this rule (July 23, 1984).

Pursuant to this rule, records shall be kept for the three storage tanks as specified in 40 CFR 60.116b (a) and 40 CFR 60.116b (b) for the lives of these tanks. These records will include the dimensions and capacities of the storage vessels.

(c) The portable counterflow drum mix asphalt burner is not subject to NSPS, 326 IAC 12, (40 CFR 60.40c, Subpart Dc) because the burner is not a steam generating unit.

(d) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 40 CFR 61, and 40 CFR 63) applicable to this source.

State Rule Applicability - Entire Source

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

Since this is a portable source, the opacity limitation will be specified with the assumption that it will be located in a nonattainment area. Except as provided in 326 IAC 5-1-3 (Temporary Exemptions) and NSPS Subpart I, visible emissions shall meet the following, unless otherwise stated in this permit:

(a) Visible emissions shall not exceed an average of thirty percent (30%) opacity in twenty-four (24) consecutive readings as determined by 326 IAC 5-1-4; and

(b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). Rule 326 IAC 6-4-2(4) regarding visible dust is not federally enforceable.

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

A fugitive PM emissions control plan shall be included with the permit application for sources specified in the rule. The control plan shall contain all information specified under 326 IAC 6-5-5, including methods of emission suppression, and a schedule of their implementation, to comply with section 6-5-4 of this rule. A fugitive control plan was submitted with the application, therefore the applicant has complied with 326 IAC 6-5.

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

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

(i) penetrating prime coating;

(ii) stockpile storage; and

(iii) application during the months of November, December, January, February, and March.

The applicant is using a gelled asphalt containing one percent (1%) oil distillate which is less than seven percent (7%) oil distillate by volume of emulsion, therefore the applicant complies with 326 IAC 8-5-2.

State Rule Applicability - Individual Facilities

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because this source is a portable source and is allowed to locate in any of the listed counties with the exception of Lake County and Porter County and it has the potential to emit more than 10 tons per year for VOC and NOx. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

The source will be required to annually submit a statement of the actual emissions of all federally regulated pollutants from the source, for the purpose of fee assessment.

326 IAC 6-1-2 (Particulate Emission Limitations; Asphalt Concrete Plant Operations)

The portable counterflow drum mix asphalt plant is subject to 326 IAC 6-1-2 (a) instead of 326 IAC 6-1-2 (c) since it will be existing after the applicability date of this rule (June 11, 1973). The portable counterflow drum mix asphalt burner discharges to the atmosphere gases which contain 0.0153 grains of particulate matter per dry standard cubic foot (dscf) (11.42 lbs/hr) which is less than 0.03 grains of particulate matter per dry standard cubic foot (dscf) (22.40 lbs/hr), therefore the applicant complies with 326 IAC 6-1-2.

326 IAC 6-3-2 (Particulate Emissions Limitations for Process Operations)

Pursuant to 326 IAC 6-3-1 (b)(1), this rule does not apply since it is inconsistent with applicable limitations contained in 326 IAC 6-1.

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

The portable counterflow drum mix asphalt plant is subject to 326 IAC 7-1.1-2 because it has potential sulfur dioxide emissions greater than 25 tons per year or 10 pounds per hour. Pursuant to this rule:

(a) Sulfur dioxide emissions from the combustion of waste oil shall be limited to one and six-tenths (1.6) pounds per million Btu of heat input. The applicant has agreed to limit their sulfur contents to 0.75 weight % or less for the waste oil. This is equivalent to eight-tenths (0.8) pound per million Btu of heat input for the waste oil at the heating value of 140,000 Btu per gallon. Therefore the applicant is in compliance with 326 IAC 7-1.1-2 for the waste oil.

1.6 lb SO_2/MMBtu > (110.3 lb SO_2/1000 gal fuel) / (0.14 MMBtu/gal fuel) = 0.8 lb SO_2/MMBtu

(b) Sulfur dioxide emissions from the combustion of #2 distillate oil shall be limited to five-tenths (0.5) pound per million Btu of heat input. The applicant has agreed to limit their sulfur contents to 0.50 weight % or less for the #2 distillate oil. This is equivalent to five-tenths (0.5) pound per million Btu of heat input for the #2 distillate oil at the heating value of 140,000 Btu per gallon. Therefore the applicant is at the limit of compliance with 326 IAC 7-1.1-2 for the #2 distillate oil.

0.5 lb SO_2/MMBtu $ (71 lb SO_2/1000 gal fuel) / (0.14 MMBtu/gal fuel) = 0.5 lb SO_2/MMBtu

The input of waste oil to the asphalt drum burner shall be limited to 1,650,226 gallons of waste oil per 365 day period, rolled on a daily basis. The combustion from this fuel limitation will produce a maximum of 91.01 tons of sulfur dioxide per year, which will enable the applicant to stay below the federally enforceable limit on potential to emit sulfur dioxide of 99 tons per year.

When combusting the backup fuel #2 distillate fuel oil, 1.56 gallons of the #2 distillate fuel oil will be equivalent to one (1) gallon of waste oil.

The input of #2 distillate oil to the two (2) generators shall be limited to 175,000 gallons of #2 distillate per 365-day period, rolled on a daily basis. The combustion from this fuel limitation will produce a maximum of 3.55 tons of sulfur dioxide per year

326 IAC 7-2-1 (Sulfur Dioxide Compliance: Reporting Requirements; Methods to Determine Compliance)
Reports of calendar month or annual average sulfur content, heat content, fuel consumption, and sulfur dioxide emission rates shall be provided upon request to the Office of Air Management.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)
The three (3) storage tanks are subject to this rule because they are used to store volatile organic liquids and can relocate into Clark and Floyd Counties. Pursuant to 326 IAC 8-9-1(b), the three (3) storage tanks, each having capacities less than 39,000 gallons, are subject only to the reporting and record keeping requirements of 326 IAC 8-9-6(a) and 326 IAC 8-9-6(b).

The owner or operator of each vessel shall maintain a record and submit to the department a report containing the following information for each vessel:

(i) identification number;
(ii) dimensions; and
(iii) capacity.

These records shall be maintained for the life of the vessels.

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 Section D of the permit 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 Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

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

(a) Daily visible emissions notations of the conveyers, material transfer points, aggregate storage piles, unpaved roads, and the drum dryer stack exhaust shall be performed during normal daylight operations. A trained employee will record whether emissions are normal or abnormal. For processes operated continuously "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time. In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions. A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when an abnormal emission is observed.

(b) The Permittee shall record the total static pressure drop across the baghouse controlling the aggregate dryer, at least once per working shift when the aggregate dryer and/or dryer burner is in operation. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 1.0 and 8.0 inches of water or a range established during the latest stack test. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the pressure reading is outside of the above mentioned range for any one reading.

(c) The inlet temperature to the baghouse shall be maintained at the range of 200-400 degrees Fahrenheit (°F) to prevent overheating of the bags and to prevent low temperatures from mudding up the bags. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the temperature reading is outside of the above mentioned range.

These monitoring conditions are necessary because the baghouse for the aggregate dryer must operate properly to ensure compliance with 326 IAC 12 (40 CFR 60.90, Subpart I), 326 IAC 6-1-2 (Particulate Limitations), and 326 IAC 2-8 (FESOP).

Air Toxic Emissions

Indiana presently requests applicants to provide information on emissions of the 187 hazardous air pollutants (HAPs) 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) Part 70 Application Form GSD-08.

(a) This source will emit levels of air toxics less than those which constitute a major source according to Section 112 of the 1990 Clean Air Act Amendments.

(b) See attached calculations for detailed air toxic calculations. (Appendix A, page 2)

(c) This source is not subject to 326 IAC 2-1-3.4 because HAPs are emitted at less than 10 tons per year for a single HAP and less than 25 tons per year for all HAPs present.

Conclusion

The operation of this portable counterflow drum mix asphalt plant shall be subject to the conditions of the attached proposed **FESOP No. F-079-9252-05164.**

III. Limited Potential Emissions

PRIMARY FUEL USAGE LIMITATIONS

A. Fuel Oil: **Waste Oil**

91.01 tons SO2 / year limited / **465.65** tons SO2 / year potential * **8447.14** Kgals / year potential = 1650.97 Kgals / year limited

SECONDARY FUEL USAGE LIMITATIONS

B. Fuel Oil: **#2 Distillate**

91.01 tons SO2 / year limited / **299.87** tons SO2 / year potential * **8447.14** Kgals / year potential = 2563.69 Kgals / year limited

Primary fuel equivalence limit based on **SO2**

299.87 backup emissions (ton/yr) / **8447.14** backup fuel usage (kgal/yr) / **465.65** primary emission (ton/yr) / **8447.14** primary fuel usage (Kgal/yr) = 0.644 Kgal primary fuel / Kgal backup burned

COLD MIX ASPHALT PRODUCTION

93.26 tons VOC limited per year * 1 / 95% emitted = 98.16 TPY limited diluent for cold mix asphalt production

Indiana Department of Environmental Management
Office of Air Management

Addendum to the
Technical Support Document for Federally Enforceable State Operating Permit (FESOP)
and Enhanced New Source Review (ENSR)

Portable Source Name: Milestone Contractors, L.P.
Current Source Location: 1800 N. County Rd. 20W., North Vernon, IN 47265
Current County: Jennings
SIC Code: 2951
Operation Permit No.: F-079-9252-05164
Permit Reviewer: Jon C. Akin

On February 26, 1998, the Office of Air Management (OAM) had a notice published in the Plain Dealer and Sun, North Vernon, Indiana, stating that Milestone Contractors, L.P. had applied for a Federally Enforceable State Operating Permit (FESOP) and Enhanced New Source Review (ENSR) to operate a portable counterflow drum hot mix asphalt plant with baghouses as controls. The notice also stated that OAM proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On March 19, 1998, Milestone Contractors, L.P. submitted comments on the proposed FESOP and ENSR. The summary of the comments with corresponding responses is as follows (changes are bolded and strikeouts are used for emphasis):

Comment 1: Page 5 of 44, Section A, Condition A.2.1 (d)
Stack S-3 has been eliminated. A pipe and hose carry the exhaust from the dust silo baghouse outlet to the knockout box identified as number nine, which is attached to the baghouse identified as number eight, therefore the dust silo does not emit directly to the atmosphere.

Response 1: The Office of Air Management agrees with the proposed comment. Condition No. A.2.1 (d) is revised as follows:

one dust silo system, identified as number eleven, consisting of:
(i) one (1) 2200 cubic foot dust silo,
(ii) one (1) weigh auger, and
(iii) one (1) silo baghouse,
~~exhausting to stack S - 3 and also exhausting back to the drum mixer,~~ **with the silo baghouse exhausting to the baghouse attached knockout box, identified as number nine, and the silo exhausting back to the drum mixer,**

There are no changes in the condition due to this revision.

Comment 2: Page 31 of 44, Section D, Condition D.1 (1)(d)
Stack S-3 has been eliminated. A pipe and hose carry the exhaust from the dust silo baghouse outlet to the knockout box identified as number nine, which is attached to the baghouse identified as number eight, therefore the dust silo does not emit directly to the atmosphere.

Response 2: The Office of Air Management agrees with the proposed comment. Condition No. D.1 (1)(d) is revised as follows:

one dust silo system, identified as number eleven, consisting of:
(i) one (1) 2200 cubic foot dust silo,
(ii) one (1) weigh auger, and
(iii) one (1) silo baghouse,
~~exhausting to stack S - 3 and also exhausting back to the drum mixer,~~ **with the silo baghouse exhausting to the baghouse attached knockout box, identified as number nine, and the silo exhausting back to the drum mixer,**

Comment 3: Page 32 of 44, Section D, Condition D.1.1 (b)
We would suggest clarifying this condition: "the percent sulfur in the waste oil burned shall not exceed 0.75% sulfur content by weight;"

Response 3: To clarify the condition as requested, Condition No. D.1.1 (b) is revised as follows:

~~the SO_2 emissions from the combustion of waste oil~~ the **percent of sulfur in the waste oil to be combusted** shall not exceed 0.75% sulfur content by weight;

Comment 4: Page 32 of 44, Section D, Condition D.1.1 (c)
We would suggest clarifying this condition: "the percent sulfur in the #2 distilllate fuel oil burned shall not exceed 0.5% sulfur content by weight;"

Response 4: To clarify the condition as requested, Condition No. D.1.1 (c) is revised as follows:

~~the SO_2 emissions from the combustion of #2 distillate fuel oil~~ the **percent of sulfur in the #2 distillate fuel oil to be combusted** shall not exceed 0.5% sulfur content by weight;

Comment 5: Page 32 of 44, Section D, Condition D.1.1 (d)
Our conditions show this equivalent to be 644 gallons which would keep us under the 2563.9 Kgals/year secondary fuel limitation. Also, we would ask that the words re-refined be deleted as we find it in no other place in this permit.

Response 5: The equivalent amount of fuel is incorrect, therefore Condition No. D.1.1 (d) is revised as follows:

for purposes of determining compliance, every 1000 gallons of #2 distillate fuel oil burned shall be equivalent to ~~640~~ **644** gallons of re-refined waste oil based on SO_2 emissions;

Comment 6: Page 33 of 44, Section D, Condition D.1.3
Our calculations based on allowable emissions do not come up with the emission limitation being equivalent to 22.40 pounds per hour.

Response 6: The emission limitation has been re-calculated and verified to be correct, therefore Condition No. D.1.3 is revised as follows:

Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), particulate

matter emissions from the asphalt drum mixer and burner shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf). This emission limitation is equivalent to ~~22.40~~ **14.98** pounds per hour.

Comment 7: Page 33 of 44, Section D, Condition D.1.4
Our calculations based on allowable emissions do not come up with the emission limitation being equivalent to 29.86 pounds per hour.

Response 7: The emission limitation has been re-calculated and verified to be correct, therefore Condition No. D.1.4 is revised as follows:

Pursuant to the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60.93, Subpart I):

(a) particulate matter emissions from the asphalt drum mixer and burner shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf); and

(b) the visible emissions from the plant shall not exceed 20 percent opacity.

This emission limitation is equivalent to ~~29.86~~ **19.97** pounds per hour.

Comment 8: Page 33 of 44, Section D, Condition D.1.5
Our calculations based on consideration of both the filterable and condensable fractions do not come up with the 19.48 pounds per hour. Our calculations based on PSD and Emission Offset applicability show that the production of asphalt concrete should be limited to 2,428,272 tons per year.

Response 8: The emission limitation has been re-calculated and verified to be correct, therefore Condition No. D.1.5 is revised as follows:

Pursuant to 326 IAC 2-8 the potential to emit PM-10 from the asphalt drum mixer and burner shall be limited to:

(a) ~~85.31~~ **59.48** tons per three hundred sixty-five (365) consecutive day period; and
(b) ~~19.48~~ **13.58** pounds per hour.

The total source PM-10 emissions are limited at 99 tons per year. **These PM-10 limitations are equivalent to 2,428,360 tons of asphalt concrete produced per 365 day period, rolled on a daily basis. During the first 365 days of operation, the asphalt concrete production shall be limited such that the total production divided by the accumulated days of operation shall not exceed 6653 tons per day.** Due to the above limit, the Part 70 rules (326 IAC 2-7) do not apply.

Comment 9: Page 33 of 44, Section D, Condition D.1.6
As we have reviewed current IDEM FESOPs, we have noted that this condition has evolved:

"The VOC emitted from the production of cold mix asphalt shall be limited to 94.8

tons per 365 day period, rolled on a daily basis. This is equivalent to 100 tons of diluent used per 365 day period in the production of asphalt based on 95% volatilization. During the first 365 days of operation, the diluent usage shall be limited such that the total usage divided by the accumulated days of operation shall not exceed the limit specified. Therefore, 326 IAC 2-3 (Emission Offset) and the Part 70 rules (326 IAC 2-7) do not apply."

The word cutback of gelled should be changed to calling the product cold mix asphalt. This condition more clearly states how the VOC's emitted via diluent are controlled. In our case 93.26 tons VOC per year * 1/95% emitted = 98.16 tons of diluent.

98.16 tons of diluent / 365 days = 0.26 tons/day on the form for the first 365 days. We would like to see the phrase cold mix (stockpile mix) asphalt used by IDEM as this further clarifies the condition relative to condition D.1.7.

Response 9: The emission limitation has been recalculated and verified to be correct. At the request of the applicant the method of reporting the amount of diluent used shall be changed from gallons of diluent per day to pounds of diluent per day, therefore Condition No. D.1.6 is revised as follows:

The VOC emitted from the production of cold mix (stockpile mix) asphalt shall be limited to 93.26 tons per 365 day period, rolled on a daily basis. ~~The use of diluent shall be limited to 28,048 gallons used per 365 day period in the production of cold mix gelled asphalt based on 1.0 percent diluent present in the asphalt. This will limit VOC emissions in the production of cold mix gelled asphalt to 93.26 tons per year, with the total source VOC emissions limited at 99 tons per year.~~ **This is equivalent to 98.16 tons of diluent used per 365 day period in the production of asphalt based on 95% volatilization.** During the first 365 days of operation under this permit, the input of diluent shall be limited such that the total ~~gallons~~ **usage** divided by the accumulated days of operation shall not exceed ~~76 gallons~~ **537 pounds** per day. Due to the above limit, 326 IAC 2-3 (Emission Offset) and the Part 70 rules (326 IAC 2-7) do not apply.

Comment 10: Page 34 of 44, Section D, Condition D.1.9
In reviewing this condition we do not find it relative to our product, which is covered by Condition D.1.7, and therefore ask that D.1.9 be deleted from this permit.

Response 10: The Office of Air Management agrees with the proposed comment. Condition No. D.1.9 originally proposed as follows:

~~Compliance with the VOC content and usage limitations contained in Conditions D.1.6 and D.1.7 shall be determined pursuant to 326 IAC 8-1-4(a)(3)(A) and 326 IAC 8-1-2(a)(7) using formulation data supplied by the asphalt liquid binder manufacturer. IDEM, OAM reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4.~~

shall be deleted, as it is assumed that 95% of all diluent will volatilize. Proposed Condition Nos. D.1.10 - D.1.17 shall be renumbered as Nos. D.1.9 - D.1.16, acccordingly.

Comment 11: Page 35 of 44, Section D, Proposed Condition D.1.12 (now Condition D.1.11)
Please delete "and S-3" as this is no longer a stack at this facility.

Response 11: The Office of Air Management agrees with the proposed comment. Condition No. D.1.12 (now Condition D.1.11) is revised as follows:

The baghouses for particulate matter control shall be in operation at all times when the aggregate drum dryer and/or aggregate dryer burner are in operation and exhausting to the stack~~s~~, S - 1 ~~and S - 3~~.

Comment 12: Page 36 of 44, Section D, Proposed Condition D.1.15 (a) (now Condition D.1.14 (a))
We ask that D.1.9 be removed and suggest that D.1.6 be inserted here to clarify this condition.

Response 12: The Office of Air Management agrees with the proposed comment. Condition No. D.1.15 (a) (now Condition D.1.14 (a)) is revised as follows:

To document compliance with Condition ~~D.1.9~~ **D.1.6**, the Permittee shall maintain monthly records at the source of the following values:

(1) Amount of liquid binder used in the production of cold mix asphalt; and

(2) Average diluent content of the liquid binder.

Comment 13: Page 36 of 44, Section D, Proposed Condition D.1.16 (now Condition D.1.15)
In order to document compliance with an asphalt concrete production limit we have enclosed a form to satisfy condition D.1.6. As to D.1.8 we do not see a form to cover this condition, nor have we ever seen such a form. To date it has been our understanding that condition D.1.15 (b) adequately covers this condition.

Response 13: The Office of Air Management agrees with the proposed comment. Proposed Condition No. D.1.16 (now Condition D.1.15) is revised as follows:

A quarterly summary of the information to document compliance with Conditions D.1.1, ~~D.1.6~~ **D.1.5**, and ~~D.1.8~~ **D.1.6** shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

Comment 14: Page 40 of 44, Form Emergency/Deviation Occurrence Report Page 2 of 2
We are seeing the words: “Attach a signed certification to complete this report” at the bottom of the page.

Response 14: This observation is incorrect because upon further review of the Form Emergency/Deviation Occurrence Report Page 2 of 2, these words were not found at the bottom of the page.

Comment 15: Page 41 of 44, Form Sulfur Dioxide
We replaced 640 with 644 and deleted the words re-refined.

Response 15: The Office of Air Management agrees with the proposed comment. The words re-refined shall be deleted. The statement from Form Sulfur Dioxide is revised as follows:

For purposes of determining compliance, every 1000 gallons of No. 2 distillate fuel oil burned shall be equivalent to ~~640~~ **644** gallons of waste oil based on SO2 emissions.

Comment 16: Page 43 of 44, Form Cold Mix Gelled Asphalt Production
We deleted the words gelled and the 1% diluent content by weight. Also, we replaced gallons of diluent with tons of diluent, and replaced gallons per day with tons per day as well as changed the box headings from gallons to tons.

Response 16: At the request of the applicant the method of reporting the amount of diluent used shall be changed from gallons of diluent per day to tons of diluent per day, the word gelled shall be removed, and the 1% diluent content by weight shall be removed, therefore Form Cold Mix Gelled Asphalt Production is revised as follows:

The production of cold mix asphalt shall be limited to 98.16 tons of diluent used per 365 day period, rolled on a daily basis. ~~Diluent content of the liquid binder not to exceed 1% diluent content by weight, and diluent not to exceed 28,048 gallons per 365 day period.~~ During the first 365 days of operation under this permit, the ~~input of~~ diluent **usage** shall be limited such that the total ~~gallons~~ **usage** divided by the accumulated days of operation shall not exceed ~~76 gallons~~ **537 pounds** per day.

Comment 17: TSD Page 4 of 13, Stack Summary
Stack S-3 has been eliminated, now that pipe and hose carry the exhaust from the dust silo baghouse outlet to the knockout box identified as number nine, which is attached to the baghouse identified as number eight, therefore the dust silo does not emit directly to the atmosphere.

Response 17: At the request of the applicant the reference to Stack S-3 shall be removed, therefore the Stack Summary table of the TSD is revised as follows:

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (^{0}F)
S - 1	Drum Mixer & Burner	32.5	5.083	86523.81	300
S - 2	Hot Oil Heater	8	0.802	936.00	600
~~S - 3~~	~~Dust Silo Baghouse~~	~~52~~	~~0.417~~	~~860.00~~	~~200~~
S - 7A	Production Generator Set	13	0.500	4203.00	975
S - 7B	Production Generator Set	13	0.500	4203.00	975
S - 8	Nonproduction Generator Set	13	0.333	1070.00	1070

Comment 18: TSD Page 6 of 13, VOC
As we have reviewed current IDEM FESOPs we have noted that the condition has evolved:

"The VOC emitted form the production of cold mix cutback asphalt shall be limited to 94.8 tons per 365 day period, rolled on a daily basis. This is equivalent to 100 tons of diluent used per 365 day period in the production of asphalt based on 95% volatilization. During the first 365 days of operation, the diluent usage shall be limited such that the total usage divided by the accumulated days of operation shall not exceed the limit specified. Therefore, 326 IAC 2-3 (Emission Offset) and Part 70 rules (326 IAC 2-7) do not apply."

The word cutback or gelled should be dropped calling the product cold mix asphalt. This condition more clearly states how the VOC's emitted via diluent are controlled. In our case 93.26 tons VOC per year * 1/95% emitted = 98.16 tons of diluent, and 98.16 tons of diluent / 365 days = 0.27 tons/day on the form for the first 365 days. Please note in condition D.1.7 the word except should be underlined and 2) stockpile storage taken into consideration, therefore there is no limit on the % of oil distillate. We would like to see the phrase cold mix (stockpile mix) asphalt used by IDEM as this would further clarify the condition relative to Condition D.1.7.

Response 18: The emission limitation has been recalculated and verified to be correct. At the request of the applicant the limitation of the amount of diluent used shall be changed from gallons of diluent per day to pounds of diluent per day, therefore the VOC limited potential to emit section of the TSD is revised as follows:

By accepting the federally enforceable limit on the potential to emit volatile organic compounds (VOC), the input ~~of liquid binder with a diluent content of 1% in~~ **of diluent, during** the production of cold mix ~~gelled~~ **(stockpile mix)** asphalt, shall be limited to ~~28,048 gallons of diluent~~ **98.16 tons used** per 365-day period, rolled on a daily basis. At the request of the applicant, during the first 365 days of operation, the input of diluent for the production of cold mix gelled asphalt shall be limited such that the total ~~gallons~~ **usage** divided by the accumulated days of operation not exceed ~~76 gallons~~ **537 pounds** of diluent per day. **Also, the word except shall be underlined in the permit Condition No. D.1.7.**

Comment 19: TSD Page 6 of 13, Federally enforceable limit on potential to emit PM-10 of 99 tons per year, consisting of:

a. 59.48 tons per year for the asphalt drum mixer and burner;
b. 35.66 tons per year for the fugitive emissions (conveying, handling, vehicular traffic, and storage pile emissions);
c. 3.80 tons per year for the production and non production generator sets; and
d. 0.06 tons per year for the other, uncontrolled insignificant activities

From our review of the draft of Operation Permit No: F181-9220-05161 we understand that the fugitive emissions are to be regarded as uncontrolled and unlimited, but our Conveying/Handling and Unpaved Roads are limited by the plant production limitations.

Response 19: The emission limitations have been recalculated and verified to be correct, therefore the PM-10 limited potential to emit section of the TSD is revised as follows:

Additionally, the source has accepted a federally enforceable limit on potential to emit PM-10 of 99 tons per year, consisting of:

a. ~~85.31~~ **59.48** tons per year for the asphalt drum mixer and burner;
b. ~~9.83~~ **35.66** tons per year for the fugitive emissions (conveying, handling, vehicular traffic, and storage pile emissions);
c. 3.80 tons per year for the production and nonproduction generator sets; and
d. 0.06 tons per year for the other, uncontrolled, insignificant activities.

The asphalt drum mixer and burner federally enforceable PM-10 limit is equivalent to 13.58 pounds per hour.

The source has attained a potential to emit of less than 100 tons per year for PM-10 by use of the baghouses and inherent moisture as control measures.

Comment 20: TSD Page 6 of 13, Limited Potential to Emit Table
We would like to see this table revised as per our comments within this letter.

Response 20: The Office of Air Management agrees with the proposed comment. The Limited Potential to Emit table of the TSD is revised as follows:

	Limited Potential to Emit* (tons/year)						
Process/facility	PM	PM-10	SO_2	VOC	CO	NO_X	HAPs
Asphalt Drum Mixer/Burner	~~9.92~~ **41.36**	~~2.25~~ **59.48**	91.01	0.83	4.13	15.68	~~2.18~~ **7.04**
Two (2) Generators	3.80	3.80	3.55	4.90	11.64	54.02	-
Hot Oil Heater	0.13	0.06	4.44	0.01	0.31	1.25	-
Cold Mix Asphalt	-	-	-	93.26	-	-	-
Fugitive Emissions**	~~28.12~~ **53.27**	~~9.83~~ **35.66**	-	-	-	-	-
Total Emissions	~~41.97~~ **98.56**	~~15.94~~ **99.00**	99.00	99.00	16.08	70.95	~~2.18~~ **7.04**

***-limited potential to emit with 175,000 gal/yr limit on the two (2) generators, 1,650,226 gal/yr limit on asphalt drum burner, ~~and controlled emissions on all applicable facilities~~ **99 ton/yr PSD/Emission Offset limit on PM, and 99 ton/yr federally enforceable limit on PM-10**
**- includes conveying, handling, vehicular traffic, and storage pile fugitive emissions

Comment 21: TSD Page 8 of 13 Federal Rule Applicability (a)
Since this is a new facility, we question if conditions we have seen in a prior construction permit need to be put into this permit. We are providing the whole condition No. 7 from the Construction Permit No. CP-063-6711 Plant ID No. 063-03154:

"7. That pursuant to the New Source Performance Standards (NSPS), Part 60.90, Subpart I, the source owner/operator is hereby advised of the requirement to

report the following at the appropriate times;

(a) Commencement of construction date (no later than 30 days after such date);
(b) Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
(c) Actual start-up date (within 15 days after such date); and
(d) Date of performance testing (at least 35 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to sent to:

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

The application and enforcement of these standards have been delegated to IDEM-OAM. The requirements of 40 CFR Part 60 are also federally enforceable."

Please note in the sentence beginning: "The portable counterflow hot drum...that 0.0153 grains of particulate matter" as per our form Q-1 is as per (acfm) which relates to the gas or air flow rate (acfm) at emission Unit 8. Please further note we do have a typo where we wrote in the temperature of 300°F instead of 305°F.
87093.05 acfm * 0.0153 grains/acfm = 1333.033 grains/minute
1333.03 grains/minute * 60 minutes/hour = 79981.98 grains/hour
79981.98 grains/hour / 7000 grains/lb = 11.426 lb/hour

Response 21: The Office of Air Management agrees with the proposed comment. Federal Rule Applcability (a) is revised as follows:

(a) The portable counterflow drum hot mix asphalt mixer and burner are subject to the New Source Performance Standard, 326 IAC 12, (40 CFR 60.90, Subpart I) because it is being constructed after the applicability date of the rule (June 11, 1973). Pursuant to 40 CFR 60.92, the following apply to this facility:

(1) performance tests are required as specified in Subpart I and as outlined in 40 CFR 60.8; and

(2) on or after the date on which the performance tests required to be conducted are completed, no owner or operator subject to the provisions of Subpart I shall discharge into the atmosphere from any affected facility any gases which:

(i) contain particulate matter in excess of 0.04 grains per dry standard cubic foot (dscf), or
(ii) exhibit twenty (20) percent opacity, or greater.

(3) pursuant to the New Source Performance Standards (NSPS), Part 60.90, Subpart I, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times;

(i) Commencement of construction date (no later than 30 days after such date);
(ii) Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
(iii) Actual start-up date (within 15 days after such date); and
(iv) Date of performance testing (at least 35 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to sent to:

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

The portable counterflow hot drum mix asphalt mixer and burner discharge to the atmosphere gases which contain 0.0153 grains of particulate matter per dry standard cubic foot (dscf) (11.42**6** lbs/hr) which is less than 0.04 grains of particulate matter per dry standard cubic foot (dscf) (~~29.86~~ **19.973** lbs/hr), therefore the applicant complies with 326 IAC 12 and 40 CFR 60.92 (a)(1).

The application and enforcement of these standards have been delegated to IDEM-OAM. The requirements of 40 CFR Part 60 are also federally enforceable.

Additionally, a new permit condition, D.1.17, shall be added as follows:

Pursuant to the New Source Performance Standards (NSPS), Part 60.90, Subpart I, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times;

(i) Commencement of construction date (no later than 30 days after such date);
(ii) Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
(iii) Actual start-up date (within 15 days after such date); and
(iv) Date of performance testing (at least 35 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to sent to:

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

Comment 22: TSD Page 10 of 13, 326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving Rules) Please note the word except should be underlined and 2) stockpile storage taken into consideration, therefore there is no limit on the % of oil distillate.

Response 22: At the request of the applicant the word except shall be underlined and a reference to

stockpile storage shall be written, therefore 326 IAC 8-5-2 originally proposed as follows:

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

(i) penetrating prime coating;

(ii) stockpile storage; and

(iii) application during the months of November, December, January, February, and March.

The applicant is using a ~~gelled~~ **cold mix** asphalt **as a stockpile mix** containing one percent (1%) oil distillate which is less than seven percent (7%) oil distillate by volume of emulsion, therefore the applicant complies with 326 IAC 8-5-2.

Comment 23: TSD Page 10 of 13, 326 IAC 2-6 (Emission Reporting)
The part of the sentence, "for the purpose of fee assessment" is not applicable to a FESOP, as the annual fee is a set amount.

Response 23: The Office of Air Management agrees with the proposed comment. 326 IAC 2-6 is revised as follows:

This source is subject to 326 IAC 2-6 (Emission Reporting), because this source is a portable source and is allowed to locate in any of the listed counties with the exception of Lake County and Porter County and it has the potential to emit more than 10 tons per year for VOC and NOx. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

The source will be required to annually submit a statement of the actual emissions of all federally regulated pollutants from the source~~, for the purpose of fee assessment~~.

Comment 24: TSD Page 10 of 13, 326 IAC 6-1-2 (Particulate Emission Limitations; Asphalt Concrete Plant Operations)
Please note in the beginning: "The portable counterflow drum mix asphalt mixer and burner discharges...which contain 0.0153 grains of particulate matter" as per our form Q-1 is as per (acfm) which directly relates to the gas or air flow rate (acfm) at emission unit 8. Please further note we do have a typo where we wrote in the temperature at 300°F instead of 305°F.
87093.05 acfm * 0.0153 grains/acfm = 1333.033 grains/minute
1333.03 grains/minute * 60 minutes/hour = 79981.98 grains/hour
79981.98 grains/hour / 7000 grains/lb = 11.426 lb/hour

Response 24: The Office of Air Management agrees with the proposed comment. 326 IAC 6-1-2 is revised as follows:

The portable counterflow drum mix asphalt plant is subject to 326 IAC 6-1-2 (a) instead of 326 IAC 6-1-2 (c) since it will be existing after the applicability date of this rule (June 11, 1973). The portable counterflow drum mix asphalt burner discharges to the atmosphere gases which contain 0.0153 grains of particulate matter per **actual** ~~dry standard~~ cubic foot **per minute (**~~dscf~~ **acfm)** (11.42**6** lbs/hr) which is less than 0.03 grains of particulate matter per dry standard cubic foot (dscf) (~~22.40~~ **14.98** lbs/hr), therefore the applicant complies with 326 IAC 6-1-2.

Comment 25: TSD Page 11 of 13, 326 IAC 7-1.1-2 (Sulfur Dioxide Emissions Limitations)
Since we calculated the equivalent waste oil to #2 distillate fuel at 644 in order to stay under the 2563.69 Kgal/year secondary fuel limiation we believe 1.55 gallons of the #2 distillate fuel oil will be equivalent to one (1) gallon of waste oil.

Response 25: The emission limitations have been recalculated and verified to be correct, therefore the portion of 326 IAC 7-1.1-2 is revised as follows:

When combusting the backup fuel #2 distillate fuel oil, ~~1.56~~ **1.55** gallons of the #2 distillate fuel oil will be equivalent to one (1) gallon of waste oil.

Comment 26: TSD Page 11 of 13, 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)
In the sentence, “The owner or operator of each vessel...submit to the department a report containing the following information for each vessel,” are the words, “upon request to the Office of Air Management” missing? To date we have not seen IDEM requesting this report. Therefore, is this sentence necessary to be included here?

Response 26: The Office of Air Management agrees with the proposed comment. Pursuant to 326 IAC 8-9-2 (8), OAM has determined that the storage tanks are not subject to 326 IAC 8-9 because they are subject to 40 CFR 60, Subpart Kb, New Source Performance Standard for Volatile Organic Liquid Storage. The reference to 326 IAC 8-9 shall also be removed from Permit Condition No. D.1.16.