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July 28, 2025

BY EMAIL ONLY

Taylor Wade
IDEM, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, IN 46204-2251
twade@idem.IN.gov

Re: Gary Property Development LLC
Comments on MSOP Renewal No. M777-49022-05518

Dear Mr. Wade,

The Conservation Law Center and the Environmental Law & Policy Center, Gary Advocates for Responsible Development, Just Transition Northwest Indiana, and Abrams Environmental Law Clinic at the University of Chicago Law School (collectively, “Commenters”) respectfully submit submits these comments on the above-referenced proposed Minor Source Operating Permit (“MSOP”) renewal for the facility owned and operated by Gary Property Development, LLC at 1700 Morse Street in Gary, Lake County, Indiana.

Since December 29, 2020, Gary Property Development has had a MSOP to operate a portable concrete crushing machine on property owned by the City of Gary Redevelopment Commission and popularly known as the “J-Pit.” Despite its name, Gary Property Development is a for-profit limited liability company headquartered in Chicago Heights, Illinois. The relationship, if any, between the City of Gary and Gary Property Development is unclear from the draft permit. Given the number of abandoned buildings in Gary being demolished and redeveloped, however, the need for concrete crushing services is obvious.

As a true minor source, Gary Property Development’s operations add an unknown amount of particulates to the atmosphere. Because of its minor source status, Gary Property Development does not have to publicly report its annual emissions like major sources. It does, however, calculate its potential to emit particulates, reporting a potential to emit 58.85 tons per year (“tpy”) of PM₁₀ and 53.12 tpy of PM_{2.5}. While these emission levels are below major-source permitting thresholds, according to the American Lung Association, long-term exposure to even very low levels of PM_{2.5} is strongly associated with non-accidental, cardiovascular, non-malignant respiratory and lung cancer mortality; a higher likelihood of children developing asthma and worsening of COPD in adults; increased risk of heart attacks and strokes; neurological effects in adults including reduced brain volume, cognitive decrements and

dementia; increased incidence of preterm birth, low birth weight and fetal and infant mortality; and increased risk of death from cardiovascular disease.¹ Considering northern Lake County's potential for being designated in nonattainment of the annual PM_{2.5} National Ambient Air Quality Standards, every contribution to the Region's PM_{2.5} pollution merits careful scrutiny.

Comment 1: IDEM Should Consider Adding Pollution Controls to the Permit

The draft permit reports the same potential to emit for uncontrolled and controlled emissions because the crushing operation has no pollution controls. Concrete crushing operations can reduce the amount of fine, respirable particles that pose health risks by integrating effective dust suppression systems, such as water mist cannons, atomizers, or foam-based sprays, at key discharge and transfer points.² Water suppression can result in increased stormwater runoff and other water pollution problems, so this control must be managed carefully. There may be reasons that pollution controls are infeasible, but the application, correspondence, and resulting draft permit in IDEM's virtual file cabinet do not indicate that any controls were ever considered. We urge IDEM and the permittee to consider whether a dust suppression system could be reasonably utilized to reduce particulate emissions from the screener and the excavator – the two largest sources of PM_{2.5} at Gary Property Development's concrete crushing operation.

Comment 2: The Preventive Maintenance Plan Should be Revised

As part of the renewal package, IDEM required Gary Property Development to include a Preventive Maintenance Plan ("PMP") in compliance with 326 IAC 1-6-3. A PMP is intended to maintain the routine good operation of air pollution control equipment, as defined by 326 IAC 1-2-3. Gary Property Development offered a 3-page PMP (attached) that identifies seven pieces of "equipment," none of which is air pollution control equipment. Again, this is not surprising because there are no pollution controls on the concrete crushing operation.

The PMP's only type of pollution control included is applying water or suppressant to control fugitive dust on unpaved roadways. It is unclear why this same technique could not be used to control PM dust emissions from the screener and the excavator, at a minimum. Gary Property Development's PMP should be revised to detail any air pollution control equipment that it has and how it will be maintained. If not, the PMP should specify the lack of air pollution control equipment it has at the J-Pit.

Conclusion

The Commenters support efforts to recycle concrete for both environmental and economic reasons. Concrete crushing enables what would otherwise be a waste product to be used to redevelop the community. As such, we do not oppose the operation of this concrete

¹ See <https://www.lung.org/research/sota/health-risks>

² Aimix Group Co., Ltd., *The Environmental Checklist Every Concrete Crushing Plant Should Follow* (May 26, 2025) (available at: <https://www.environmental-expert.com/articles/the-environmental-checklist-every-concrete-crushing-plant-should-follow-1174061>).

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crushing operation by Gary Property Development. But like many valuable activities, it comes with drawbacks and potential harms. To the extent that these harms can be mitigated through reasonable and feasible means, we encourage IDEM to include it in the permit.

Thank you for considering these comments.

Sincerely,

A handwritten signature in blue ink, reading "Michael J. Zoeller". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael J. Zoeller
Senior Attorney

Preventive Maintenance Plan

Gary Property Development, LLC
1700 Morse Street
Gary, Indiana 46406

Permit No.: M7774902205518
Prepared for Submittal to the
Indiana Department of Environmental Management (IDEM)

1. Responsible Personnel

The following personnel are responsible for the inspection, maintenance, and repair of emission control-related equipment and operational integrity:

- Maintenance Supervisor: Austin Zenere – (708) 758-5800

Azenere@zforcetransportation.com

- Backup Contact: Site Foreman or Operations Manager on duty

2. Equipment and Inspection Schedule

Equipment	Description	Inspection Frequency	Maintenance Actions
Crusher	400 TPH diesel-powered portable crusher	Daily	Inspect engine oil, check visible emissions, hose integrity
Screener	400 TPH diesel-powered screener	Daily	Inspect screen integrity, ensure diesel engine maintenance
Stack Conveyor	200 TPH conveyor	Weekly	Inspect rollers, belt wear, alignment
Excavator	188 HP diesel engine	Weekly	Check hydraulic systems, engine fluids, emissions
Diesel Generators	235 HP for screener, 400 HP for crusher	Daily	Fuel filter, oil level, visible emission check
Unpaved Roadways	Access roads, haul routes	Weekly	Apply water or suppressant to control fugitive dust
Storage Piles	Crushed concrete	Weekly	Check for wind erosion and maintain pile height/cover

3. Spare Parts Inventory

The following spare parts will be kept in inventory to minimize downtime:

- Belts for conveyors (2)
- Air and fuel filters (for both diesel engines)
- Hydraulic fluid and engine oil
- Spray nozzles and hoses for dust suppression (if implemented)
- Extra screening panels
- Misc. fasteners, clamps, and wear plates

4. Recordkeeping

- All inspections, findings, repairs, and replacements shall be documented in the PMP logbook (hard copy on site and digital record in company maintenance database).
- Records shall be retained for at least five (5) years in compliance with 326 IAC 2-6.1-6.
- PMP documents must be made available to IDEM upon request.

5. Response to Malfunctions

- Any equipment failure or emissions exceedance shall be recorded and reported as outlined in the permit under Malfunction Reporting [326 IAC 1-6-2].
- Immediate corrective actions must be documented with the responsible staff member's signature.

6. Review and Updates

This plan shall be reviewed annually or when equipment is modified, replaced, or relocated. Updates must be documented and approved by the maintenance supervisor.