

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
RECOMMENDATION TO REVOKE AIR PERMIT MEMORANDUM

Date: 11/27/2023

To: Joanne Smiddie-Brush, Section Chief
Permits Administration Support Section
Permits Branch
Office of Air Quality

Thru: Janusz Johnson, Branch Chief
Compliance and Enforcement
Branch
Office of Air Quality

From: Patrick Burton, Air Compliance Inspector
Kurt Graham, P.E, Section Chief, ACS 2
Compliance and Enforcement Branch
Office of Air Quality

Source Name: Lengacher's Furniture & Cabinets

Source ID: 003-00357

Source Location address: 16306 Cuba Road
City: Spencerville
State: IN
Zip Code: 46788

Operating Permit # to be revoked: Registration 003-25459-00357
Issued: 11/13/2007 (RR)

Based upon reviewing 326 IAC 2-1.1-9, a 2/9/2022 inspection, a 2/10/2022 phone conversation with the owner Mr. Elston Lengacher, non-submittal of annual notifications from 2010 to present, a 11/27/2023 phone conversation with the owner Mr. Elston Lengacher, it has been determined the source is permanently closed and the operating air permit for Lengacher's Furniture & Cabinets can be revoked. Please revoke the air permit and issue a Revocation and Notice of Decision.

☒ Revocation and Notice of Decision should be mailed to:

Name: Mr. Elston Lengacher
Title: Owner - Lengacher's Furniture & Cabinets
Address: 16306 Cuba Road
City: Spencerville
State: IN
Zip Code: 46788
cc: Patrick Burton/IDEM - OAQ

Indiana Department of Environmental Management

Office of Air Quality
Air Permit Revocation Supporting Documentation Log

Source Name	Lengacher's Furniture & Cabinets	OAQ Inspector	Patrick Burton
Source ID	003-00357	Date of Review	11/27/2023

Methods used to determine/verify source closure (Check all that apply.)

	Method (From Step 3 in SOP)	Verification	Comments
<input checked="" type="checkbox"/>	(a) Inspection/Site visit	Inspection Date: 2/9/2022	83280508 VL issued 2/14/2022 for failing submit annual notifications for years 2017-2021. Source was no longer in operation. Source requested forms to revoke permit. Source provided instructions to revoke permit in VL. VL required source submit revocation request within 30 days. No request submitted to IDEM.
<input checked="" type="checkbox"/>	(b) Corporate staff contact	Contact Date: Name: Title: Contact submitting information for Permit Revocation? Other Comments	2/10/2022 Mr. Elston Lengacher Owner Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> During 2/9/2022 inspection, I spoke with Mrs. Lengacher, wife of owner, Mr. Elston Lengacher. Following the inspection, I contacted Mr. Lengacher by phone 260-609-7898 on 2/10/2022. Mr. Lengacher indicated he is no longer in business and asked for forms to revoke the air permit.
<input checked="" type="checkbox"/>	(c) Corporate staff contact	Contact Date: Name: Title: Contact submitting information for Permit Revocation? Other Comments	11/27/2023 Mr. Elston Lengacher Owner Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> I contacted Mr. Lengacher by phone 260-609-7898 on 11/27/2023. Mr. Lengacher indicated he is no longer in business and the business is permanently closed. Mr. Lengacher indicated that the business entity no longer exists, and therefore is permanently closed.
<input checked="" type="checkbox"/>	(d) Internet search (attach any article found)	Date of Search:	11/27/2023 Lengacher's Furniture & Cabinets.
<input type="checkbox"/>	(c) County Health Department	Contact & Date:	

<input checked="" type="checkbox"/>	(d) Secretary of State's website operating status	Operating?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Extensive search – no business named “Lengacher's Furniture & Cabinets” found.
<input type="checkbox"/>	(e) Commenced construction	Commenced within 18 months? Date of Issuance of Permit:	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/>	(f) Disconnected phone number?	Phone number: Date verified	
<input type="checkbox"/>	(f) Returned U.S. Mail/Email	Document(s) type: Date(s) of returned mail:	
<input type="checkbox"/>	(g) Non-payment of permit fees	Year(s) not paid	
<input checked="" type="checkbox"/>	(h) Non-submittal of Emission Statements, Quarterly Report, Annual Compliance Certifications, Annual Notifications	Years not submitted	2010- present *Last annual notification was submitted 2/25/2009
<input checked="" type="checkbox"/>	Other Information	PBB notes from 2/9/2022 inspection of source.	NOTES: I entered the property and knocked on the door. I spoke with Marian Lengacher, wife of the owner. <u>Marian Lengacher stated that they are no longer in business.</u> In addition, Marian Lengacher indicated that <u>Mr. Lengacher no longer operates the business</u> and works at another employer in the area, and she indicated that they have not submitted or processed any paperwork concerning the business in over 5 years. Marian Lengacher stated that the business is no longer in operation and asked for directions on how they can revoke the air permit. I provided a business card and asked that Mr. Lengacher call me at his convenience. During the inspection, it was noted that the source has not been submitting annual notifications. This is a violation of the permit 003-25459-00357. Mr. Lengacher called me on 2/10/22. I discussed with him the outcome of the inspection. Mr. Lengacher indicated his desire to revoke the permit.
<input type="checkbox"/>	Other Information		

Comments: