

Appendix E

Public Participation Process

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

The Tribune
PO Box 447
Seymour, Indiana 47274

Date: July 11, 2005

Phone: 812/522-4871
Fax: 812/522-7691

ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning Air Pollution Control Board Rules.

Please print ONE TIME, on or before July 16, 2005, in order for us to satisfy our statutory requirements.

Please send a notarized form no. 99p and/or publisher's claim, together with the clipping, showing the date of publication and your Federal ID number to:

MAIL TO:

**Attn: Karol Chuma, Room N1001
Indiana Department of Environmental Management
100 N. Senate, P.O. Box 6015
Indianapolis, Indiana 46206**

If you have any questions, please call me at 317-233-0426. Thank you.

Sincerely,

Karol T. Chuma
Rules Development Section
Office of Air Quality

Enclosures

For Office Use Only

One Legal Notice regarding the following **five (5) rules:**

1. Group 7 NESHAPs – Preliminary
2. RICE – Preliminary
3. Credible Evidence – Final
4. Reilly Industries – Final
5. Group 5 NESHAPs - Final

PUBLISHER'S CLAIM

LINE COUNT

Display Matter - (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set). Number of equivalent lines: _____ \$ _____

Head - Number of lines _____ \$ _____

Body - Number of lines _____ \$ _____

Tail - Number of lines _____ \$ _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

111.0 lines 1.0 columns wide equals 111.0 equivalent _____ \$ _____

lines at .356 cents per line

Additional charge for notices containing rule and figure work (50 per cent of above amount) \$ _____

Charges for extra proofs of publication (\$1.00 for each proof in excess of two) \$ _____ .00 \$ _____ .00

TOTAL AMOUNT OF CLAIM \$ _____

DATA FOR COMPUTING COST \$ _____

Width of single column 7.83 ems Size of type 5.7 point \$ _____

Number of insertions 1.0 \$ _____

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

DATE: 07/13/2005

80515-3894771

Karen Mullins Clerk
Title

PUBLISHER'S AFFIDAVIT

State of Indiana SS:
MARION County

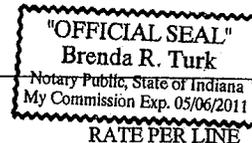
Personally appeared before me, a notary public in and for said county and state, the undersigned Karen Mullins who, being duly sworn, says that SHE is clerk of the INDIANAPOLIS NEWSPAPERS a DAILY STAR newspaper of general circulation printed and published in the English language in the city of INDIANAPOLIS in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), between the dates of: 07/13/2005 and 07/13/2005

Karen Mullins Clerk
Title

Subscribed and sworn to before me on 07/13/2005

Brenda R. Turk
Notary Public

My commission expires: _____



RATE PER LINE

STATE PRESCRIBED FORMULA

7.83 PICA COLUMN - 94 POINT
94 POINTS / 5.7 PT. TYPE - 16.49
16.49 EMS / 250 - .06596 SQUARES
.06596 SQUARES x \$5.14 - .339 CENTS PER LINE

PUBLISHED 1 TIME = .339
PUBLISHED 2 TIMES = .509
PUBLISHED 3 TIMES = .679
PUBLISHED 4 TIMES = .848

PUBLIC NOTICES

LEGAL NOTICE
OF PUBLIC HEARING

Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for Jackson County.

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on Monday August 15, 2005. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for Greene County. The meeting will convene at 6:00 p.m. (local time) in the Seymour City Council Chambers, 301-309 North Chestnut Street, Seymour, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (USEPA) guidance.

Copies of the draft documents are available to any person upon request and will be available for public inspection beginning July 16, 2005 at the following locations:

Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate, Room N1003, Indianapolis, Indiana. Seymour City Council Chambers, 301-309 North Chestnut Street, Seymour, Indiana. Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

IDEM will also accept written comments through August 19, 2005. Mailed comments should be addressed to:

Jackson County Redesignation Petition and Maintenance Plan. Kathryn Watson, Chief

Air Programs Branch, Office of Air Quality - Mail Code 61:50
Indiana Department of Environmental Management

Indianapolis, IN 46206-2251
A transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

For additional information contact Shawn Seals, at the Indiana Department of Environmental Management, Office of Air Quality, Room 1001, Indiana Government Center North, 100 North Senate Avenue, Indianapolis or call (317) 233-5660 or (800) 451-6027 ext. 3-0425 (in Indiana).

Kathryn Watson, Chief
Air Programs Branch
Office of Air Quality
Individuals requiring reasonable accommodations for participation in this hearing should contact the IDEM Americans with Disabilities Act (ADA) coordinator at:
Attn: ADA Coordinator
Indiana Department of Environmental Management - Mail Code 50-10
100 North Senate Avenue
Indianapolis, IN 46204-2251
Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD).
Please provide a minimum of 72 hours notification.
(S - 7/13 - 3894771)

Form 65-REV 1-88



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

Indianapolis Star & News
P.O. Box 145
Indianapolis, Indiana 46204

Date: July 11, 2004

Phone: 317-444-7163
Fax: 317-444-8806

FILE

ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning Air Pollution Control Board Rules.

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Sincerely,

Karol T. Chuma
Rules Development Section
Office of Air Quality

Enclosures

For Office Use Only

One Legal Notice regarding:

Redesignation Petition & Maintenance Plan in Association with the 8 hour ozone standard, for Jackson County

(Scott Deloney / Sandra Robinson)

LEGAL NOTICE OF PUBLIC HEARING
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in association with the 8 hour ozone standard,
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**TO: ACCOUNTING
IGCN - Room 1345**

**FROM: KAROL T. CHUMA
IGCN - 1001
RULES SECTION
OFFICE OF AIR QUALITY**

DATE: 7/11/05

**Note: Please send a copy of the paid
publication to Indianapolis
STAR & News**

**The attached invoice for publication of
public notice is approved for payment.**

ACCOUNT # 3610/140900

To: The Tribune

(Governmental Unit)

Seymour, IN 47274

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall

Legal Notice of Public Hearing Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard for Jackson County	more than four solid lines of type in which the body of the element is set) — number of equivalent lines	<u>2</u>
	number of lines	<u>75</u>
	number of lines	<u>1</u>
	number of lines in notice	<u>78</u>

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Air Programs Branch
Office of Air Quality

AMOUNT OF CHARGES

lines, 1 columns wide equals 78 equivalent lines

its per line \$ 42.04

charge for notices containing rule or tabular at work

(of above amount)

extra proofs of publication (\$1.00 for each proof

two)

AMOUNT OF CLAIM \$ 42.04

COMPUTING COST

per line column 12.5 ems

insertions 1

6 point

the provisions and penalties of Chapter 155, Acts 1953,

certify that the foregoing account is just and correct, that the amount claimed is after allowing all just credits, and that no part of the same has been paid.

Michelle Schaefer

July 20, 20 05

Title: Business Manager

PUBLISHER'S AFFIDAVIT

State of Indiana)

) SS:

Jackson County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Michelle K. Schaefer who, being duly sworn, says that she is Business Manager of The Tribune, a daily newspaper of general circulation printed and published in the English language in the City of Seymour in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 times the dates of publication being as follows:

July 16, 2005

Michelle Schaefer

Subscribed and sworn to before me this 20th day of July, 20 05

Marlene K. White

Marlene K. White, Notary Public

Jy 16



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Governor

Lori F. Kaplan
Commissioner

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Rules Development Section
Office of Air Quality

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**TO: ACCOUNTING
IGCN - Room 1345**

**FROM: KAROL T. CHUMA
IGCN - 1001
RULES SECTION
OFFICE OF AIR QUALITY**

DATE: 7/11/05

**Note: Please send a copy of the paid
publication to The Tribune**

located in Seymour, IN

**The attached invoice for publication of
public notice is approved for payment.**

ACCOUNT # 3610/140900

1 INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
2 INDIANA GOVERNMENT CENTER NORTH
3 100 NORTH SENATE AVENUE, 10TH FLOOR

4 IN THE MATTER OF:)
5 REDESIGNATION PETITION AND MAINTENANCE)
6 PLAN IN ASSOCIATION WITH THE 8-HOUR)
7 OZONE STANDARD FOR JACKSON COUNTY)

8
9
10 COPY
11

12 This public meeting of the Indiana Department of
13 Environmental Management was taken on August 15, 2005, at
14 the Seymour City Council Chambers, 301-309 North Chestnut
15 Street, Seymour, Indiana, commencing at 6:06 p.m.
16
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21 WM. F. DANIELS d/b/a
22 ACCURATE REPORTING OF INDIANA
23 12922 BRIGHTON AVENUE
24 CARMEL, IN 46032
25 (317) 848-0088

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Page No.

Opening remarks by Hearing Officer Seals	3
Adjournment	8

August 15, 2005 6:06 p.m.

1
2 HEARING OFFICER SEALS: This is a public hearing to
3 accept the comments concerning the Draft Redesignation
4 Petition and Maintenance Plan in association with the 8
5 hour ozone standard for Jackson County. This hearing is
6 being held to conform to the provisions in 40 CFR Part 51
7 regarding public hearings for State Implementation Plan
8 submittals.

9 My name is Shawn Seals. I am a Senior Environmental
10 Manager from the Planning and Policy Section of the Indiana
11 Department of Environmental Management's Office of Air
12 Quality. I have been appointed to act as hearing officer
13 for this public hearing. Also here today is Scott Deloney
14 from the Planning and Policy Section.

15 Notice from the time and place of the hearing was
16 given as provided by law by publication in the following
17 newspapers: One, the *Indianapolis Star*, Indianapolis
18 Indiana; and two, the *Tribune*, Seymour, Indiana.

19 The purpose of this public hearing is to provide
20 interested persons an opportunity to offer comments to the
21 State regarding the Draft Redesignation Petition and
22 Maintenance Plan for Jackson County.

23 Appearance blanks have been distributed in the hearing
24 room for all those desiring to be shown appearing on record
25 in this cause. If you have not already filled out the

1 form, please do so and indicate if you are appearing for
2 yourself or on behalf of a group or organization and
3 identify such group or organization. Also, note the
4 capacity in which you appear, such as attorney, officer, or
5 authorized spokesperson.

6 Any person who is heard or represented at this hearing
7 or who requests notice may be given written notice of the
8 final action taken on this State Implementation Plan
9 submittal. Please indicate on the appearance card if you
10 wish to receive this notification.

11 When appearance cards have been completed, they should
12 be handed to me or Scott, and we will include them with the
13 official record of this proceeding.

14 Oral statements will be heard, but written statements
15 may be handed to me or Scott or mailed to the Office of Air
16 Quality on or before close of business on Friday, August
17 19, 2005.

18 A written transcript of this hearing is being made.
19 The transcript will be open for public inspection and a
20 copy of the transcript will be made available to any person
21 upon payment of the copying cost.

22 After the conclusion of this public hearing, I will
23 prepare a written report summarizing the comments received
24 at this hearing and recommending changes which may need to
25 be made to this document.

1 I would like to introduce the following documents into
2 the record: One, the Notice of Public Hearing, and two,
3 Draft Redesignation Petition and Maintenance Plan for
4 Jackson County.

5 Finally, I would like to briefly go over the contents
6 of the draft document. In 1997, the United States
7 Environmental Protection Agency established a new, more
8 stringent standard for ozone, referred to as the 8-hour
9 ozone standard. The standard itself was established at .08
10 parts per million measured over an eight-hour period.

11 Within the Guidelines on Data Handling Conventions for
12 the 8-hour Ozone National Ambient Air Quality Standards
13 published by the U.S. EPA in December of 1998, the U.S. EPA
14 established parts per million, "PPM", and three significant
15 figures as the basis for computation of 8-hour ozone
16 concentrations.

17 In accordance with this guidance, three significant
18 digits are used to determine an area's design value for
19 conducting attainment tests. Specifically, because the
20 third decimal digit is rounded, .084 ppm is the largest
21 concentration that is less than or equal to the standard of
22 .08 ppm. Therefore, an ozone concentration equal to or
23 greater than .085 parts per million is considered to be
24 above or in violation of the standard.

25 Legal challenges to the new standard for ozone

1 resulted in delayed implementation of the standard until
2 February, 2001, when the Supreme Court ruled that the
3 U.S. EPA could proceed with implementation of the new
4 standard, providing that the U.S. EPA's implementation is
5 consistent with the Clean Air Act.

6 The U.S. EPA's first action in implementing the new
7 standard for ozone was to designate areas throughout the
8 country as attainment, nonattainment, or unclassifiable.

9 The Seymour Area, specifically Jackson County, was
10 designated nonattainment under the 8-hour ozone standard on
11 April 15, 2004. This designation was based on a monitored
12 design value of .088 parts per million. This design value
13 derived from an average of the annual fourth highest ozone
14 values over the previous three years, those being 2001
15 through 2003.

16 At the conclusion of the 2004 ozone season, the
17 monitor within Jackson County measured air quality that
18 meets the ambient air quality standards for ozone. The
19 most recent design value for the area is .080 parts per
20 million which is based on an average of the annual fourth
21 highest ozone values for the years 2002 through 2004.

22 This design value represents ozone concentrations that
23 are below the National Ambient Air Quality Standard, thus
24 the area is eligible to be redesignated to attainment under
25 the 8-hour ozone standard and classified as maintenance.

1 The Indiana Department of Environmental Management has
2 prepared the Draft Redesignation Petition and Maintenance
3 Plan for Jackson County in accordance with U.S. EPA
4 guidance. The draft petition outlines a demonstration that
5 the area has attained the standard based on monitored
6 concentrations, and that the reductions in monitored
7 concentrations are attributable to permanent and
8 enforceable reductions in precursor emissions, specifically
9 reductions of both volatile organic compounds and oxides of
10 nitrogen.

11 Furthermore, the Draft Maintenance Plan outlines the
12 following: Precursor emissions of volatile organic
13 compounds and oxides of nitrogen will continue to decline
14 into the future.

15 Due to existing and future emission controls, the
16 area's air quality is not projected to worsen, and should
17 improve further over time.

18 A commitment for all existing emission controls to
19 remain in place.

20 A commitment to revise the plan within eight years of
21 redesignation.

22 A commitment to adopt and expeditiously implement
23 necessary corrective actions if a warning or action level
24 response is triggered. A warning level response is
25 triggered by a 1-year fourth high monitor value of .088

1 parts per million. An action level response is triggered
2 by a 2-year average fourth high monitor value of .085 parts
3 per million.

4 A mobile source emissions budget for transportation
5 conformity purposes.

6 This concludes my comments regarding the Draft
7 Redesignation Petition and Maintenance Plan for Jackson
8 County.

9 This hearing is now open for public comment. Scott
10 and I are both available to take comments at this time.
11 Are there any public comments?

12 (No comments were made.)

13 HEARING OFFICER SEALS: In the absence of any further
14 comments, these proceedings are hereby concluded. This
15 hearing is adjourned.

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(The hearing concluded at 6:13 p.m., August 15, 2005.)

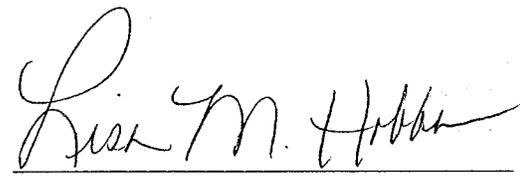
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STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

I, Lisa M. Hobbs, a Notary Public in and for the County of Johnson, State of Indiana, do certify that the foregoing public meeting was taken on behalf of the Indiana Department Of Environmental Management, in the matter of the Redesignation Petition and Maintenance Plan in association with the 8-hour ozone standard, for Jackson County, August 15, 2005, between the hours of 6:06 p.m. and 6:13 p.m.;

That said hearing was taken down in stenograph notes and afterwards reduced to typewriting under my direction; and that the typewritten transcript is a true record of the hearing to the best of my knowledge and belief;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by notarial seal this 21st day of August, 2005.



Lisa M. Hobbs
Notary Public
Residing in Johnson County

My Commission Expires:
April 27, 2008