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TITLE 326 AIR POLLUTION CONTROL BOARD

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**Emergency Rule**  
LSA Document #09-698(E)**DIGEST**

Temporarily adds new provisions to address volatile organic compounds (VOC) reasonably available control technology (RACT) in Lake County and Porter County for synthetic organic chemical manufacturing industry (SOCMI). Authority: [IC 4-22-2-37.1](#)(a)(13). Effective September 3, 2009.

**SECTION 1. Applicability. (a) This document applies to any vent stream originating from a process unit in which an air oxidation and distillation operation or reactor process is located that meets the following criteria:**

**(1) Is located in Lake County or Porter County.**

**(2) Produces one (1) or more of the chemicals as a product, coproduct, byproduct, or intermediate listed in:**

**(A) Appendix A of Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry (SOCMI) for reactor and distillation CTG (EPA-450/4-91-031, August 1993)\*; or**

**(B) 40 CFR 60.617\* for air oxidation unit processes.**

**(b) Air oxidation unit processes, distillation operations, and reactor processes are defined in 40 CFR 60.611\* "air oxidation unit processes", 40 CFR 60.661\* "distillation operation", and 40 CFR 60.701\* "reactor processes".**

**(c) Product means any compound or chemical listed in Appendix A of Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry (SOCMI) for reactor and distillation CTG (EPA-450/4-91-031, August 1993)\* that is produced as that chemical for sale as a product, byproduct, coproduct, or intermediate or for use in the production of other chemicals or compounds.**

**(d) For purposes of this document, reference to total organic compounds or TOC in 40 CFR 60, Subpart III\*, 40 CFR 60, Subpart NNN\* or 40 CFR 60, Subpart RRR\* shall be considered to mean VOC as defined in [326 IAC 1-2-90](#).**

**(e) For process vents that are subject to equivalent VOC control provisions under an existing 40 CFR Part 60 or 40 CFR Part 63 standard, compliance with the requirements of the existing 40 CFR Part 60 or 40 CFR Part 63 standard shall constitute compliance with the provisions of this document.**

**\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, Thirteenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.**

**SECTION 2. Air oxidation unit processes. (a) The owner or operator of a source with air oxidation unit processes meeting the applicability criteria in SECTION 1 of this document shall comply with the requirements of 40 CFR 60, Subpart III\*.**

**(b) The exemption listed in 40 CFR 60.610(c)\* shall apply to an owner or operator otherwise subject to this document.**

**(c) Notwithstanding 40 CFR 60.610\*, for purposes of this document:**

**(1) an affected source shall be one that is described by the criteria in 40 CFR 60.610(a)\* without consideration of the specific date of construction, modification, or reconstruction of the source; and**

**(2) the owner or operator of an affected source shall comply with this document no later than April 1, 2011.**

**(d) Notwithstanding 40 CFR 60.615(a)\*, each owner or operator subject to this document shall notify the department how the source will comply with the specific provisions of 40 CFR 60.612\*:**

**(1) no later than one (1) year after the effective date of this document; or**

(2) no later than sixty (60) days after becoming subject to this SECTION; whichever is later.

(e) For the purposes of this document, 40 CFR 60.616\* is not applicable.

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SECTION 3. Distillation operations. (a) The owner or operator of a source with distillation operations meeting the applicability criteria in SECTION 1 of this document shall comply with the requirements of 40 CFR 60, Subpart NNN\*.

(b) The following exemptions apply:

(1) Exemptions listed in 40 CFR 60.660(c)\* shall apply to an owner or operator otherwise subject to this document.

(2) Any vent stream for a distillation operation with a total VOC concentration of less than five hundred (500) parts per million by volume is not subject to this document except for the test method and procedure and the record keeping and reporting requirements specified in 40 CFR 60.660(c)(6)\*.

(c) Notwithstanding 40 CFR 60.660\*, for purposes of this document:

(1) an affected source shall be one that is described by the criteria in 40 CFR 60.660(a)\* without consideration of the specific date of construction, modification, or reconstruction of the source;

(2) an applicable chemical is one described in SECTION 1(a)(2)(A) of this document instead of 40 CFR 60.667\*; and

(3) the owner or operator of an affected source shall comply with this document no later than April 1, 2011.

(d) Notwithstanding 40 CFR 60.665(a)\*, each owner or operator subject to this document shall notify the department how the source will comply with the specific provisions of 40 CFR 60.662\*:

(1) no later than one (1) year after the effective date of this document; or

(2) no later than sixty (60) days after becoming subject to this SECTION; whichever is later.

(e) For the purposes of this document, 40 CFR 60.666\* is not applicable.

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, Thirteenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

SECTION 4. Reactor processes. (a) The owner or operator of a source with reactor processes meeting the applicability criteria in SECTION 1 of this document shall comply with the requirements of 40 CFR 60, Subpart RRR\*.

(b) The following exemptions apply:

(1) Exemptions listed in 40 CFR 60.700(c)\* shall apply to an owner or operator otherwise subject to this document, except that the cutoff for the vent stream flow rate is eighty-five ten-thousandths (0.0085) standard cubic meter per minute (scm/min), not eleven-thousandths (0.011) scm/min as specified in 40 CFR 60.700(c)(4)\*.

(2) Any vent stream for a reactor operation with a total VOC concentration of less than five hundred (500) parts per million by volume is not subject to this document except for the test method and procedure and the record keeping and reporting requirements specified in 40 CFR 60.700(c)(8)\*.

(c) Notwithstanding 40 CFR 60.700\*, for purposes of this document:

(1) an affected source shall be one that is described by the criteria in 40 CFR 60.700(a)\* without consideration of the specific date of construction, modification, or reconstruction of the source;

(2) an applicable chemical is one described in SECTION 1(a)(2)(A) of this document instead of 40 CFR 60.707\*; and

(3) the owner or operator of an affected source shall comply with this document no later than April 1,

2011.

(d) Notwithstanding 40 CFR 60.705(a)\*, each owner or operator subject to this document shall notify the department how the source will comply with the specific provisions of 40 CFR 60.702\*:

- (1) no later than one (1) year after the effective date of this document; or
  - (2) no later than sixty (60) days after becoming subject to this SECTION;
- whichever is later.

(e) For the purposes of this document, 40 CFR 60.706\* is not applicable.

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, Thirteenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

SECTION 5. **Delayed compliance.** If the owner or operator of a source employs a VOC emission combustion control device that does not achieve compliance with an emission limitation in 40 CFR 60.612\*, 40 CFR 60.662\*, or 40 CFR 60.702\* as applicable under this document, the owner or operator is not required to comply with the emission limitation until the combustion control device is replaced for reasons other than compliance with this document. A combustion control device is considered to be replaced when one (1) of the following occur:

- (1) All of the control device is replaced.
- (2) The cost of repair of the control device or the cost of replacement of part of the control device exceeds fifty percent (50%) of the cost of replacing the entire control device with a control device that is capable of complying with the respective requirements of 40 CFR 60.612\*, 40 CFR 60.662\*, or 40 CFR 60.702\*.

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, Thirteenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

SECTION 6. **A variance request from the requirements of this document shall be made in accordance with [IC 13-14-8-8](#).**

SECTION 7. This document expires on the effective date of LSA [Document] #09-222 or ninety (90) days after filing with the publisher, whichever takes place first.

*LSA Document #09-698(E)*

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