

## TITLE 326 AIR POLLUTION CONTROL DIVISION

**Emergency Rule**  
LSA Document #13-480(E)

DIGEST

Temporarily amends [326 IAC 1-4](#) to add the federal designation for Lawrenceburg Township in Dearborn County, Lake County, and Porter County to nonattainment of the 2008 8-hour ozone standard, and for the remainder of Dearborn County to unclassifiable or attainment of the 2008 8-hour ozone standard and to add the federal designation for parts of Dearborn County, Gibson County, Pike County, and Spencer County to unclassifiable or attainment of the annual PM<sub>2.5</sub> standard. Statutory authority: [IC 13-14-8-1](#). Effective October 15, 2013.

SECTION 1. (a) This SECTION supersedes [326 IAC 1-4-16](#).

(b) The following attainment status designations are applicable to Dearborn County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Nonattainment effective July 20, 2012, for the 2008 8-hour ozone standard for Lawrenceburg Township. Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard for the remainder of the county. <sup>1</sup>
PM <sub>2.5</sub>	Attainment effective December 23, 2011, for the annual PM <sub>2.5</sub> standard for Lawrenceburg Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM <sub>2.5</sub> standard for the remainder of the county.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 2. (a) This SECTION supersedes [326 IAC 1-4-27](#).

(b) The following attainment status designations are applicable to Gibson County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	Attainment effective October 27, 2011, for the annual PM <sub>2.5</sub> standard for Montgomery Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM <sub>2.5</sub> standard for the remainder of the county.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 3. (a) This SECTION supersedes [326 IAC 1-4-46](#).

(b) The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O <sub>3</sub>	40 CFR 81.315 as amended by 77 FR 34228. <sup>1,2</sup>
PM <sub>2.5</sub>	Attainment effective February 6, 2012, for the annual PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
<sup>1</sup> Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard which was revoked effective June 15, 2005.	
<sup>2</sup> The department has filed a legal challenge to U.S. EPA's designation in 77 FR 34228.	

SECTION 4. (a) This SECTION supersedes [326 IAC 1-4-64](#).

(b) The following attainment status designations are applicable to Pike County:

Pollutant	Designation
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	Attainment effective October 27, 2011, for the annual PM <sub>2.5</sub> standard for Washington Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM <sub>2.5</sub> standard for the remainder of the county.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 5. (a) This SECTION supersedes [326 IAC 1-4-65](#).

(b) The following attainment status designations are applicable to Porter County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	40 CFR 81.315 as amended by 77 FR 34228. <sup>1,2</sup>
PM <sub>2.5</sub>	Attainment effective February 6, 2012, for the annual PM <sub>2.5</sub> standard.

<b>PM<sub>10</sub></b>	<b>Unclassifiable effective November 15, 1990.</b>
<b>NO<sub>2</sub></b>	<b>Cannot be classified or better than national standards.</b>
<b>Pb</b>	<b>Unclassifiable or attainment effective December 31, 2011.</b>
<sup>1</sup> <b>Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour ozone standard which was revoked effective June 15, 2005.</b>	
<sup>2</sup> <b>The department has filed a legal challenge to U.S. EPA's designation in 77 FR 34228.</b>	

SECTION 6. (a) This SECTION supersedes [326 IAC 1-4-74](#).

(b) The following attainment status designations are applicable to Spencer County:

<b>Pollutant</b>	<b>Designation</b>
<b>SO<sub>2</sub></b>	<b>Better than national standards.</b>
<b>CO</b>	<b>Unclassifiable or attainment effective November 15, 1990.</b>
<b>O<sub>3</sub></b>	<b>Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard.<sup>1</sup></b>
<b>PM<sub>2.5</sub></b>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard for Ohio Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM<sub>2.5</sub> standard for the remainder of the county.</b>
<b>PM<sub>10</sub></b>	<b>Unclassifiable effective November 15, 1990.</b>
<b>NO<sub>2</sub></b>	<b>Cannot be classified or better than national standards.</b>
<b>Pb</b>	<b>Unclassifiable or attainment effective December 31, 2011.</b>
<sup>1</sup> <b>Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.</b>	

SECTION 7. A variance request from the requirements of this document shall be made in accordance with [IC 13-14-8-8](#).

SECTION 8. This document expires on the effective date of LSA [Document] #13-164 or ninety (90) days after filing with the Publisher, whichever takes place first.

LSA Document #13-480(E)

Filed with Publisher: October 15, 2013, 8:43 a.m.

Posted: 10/23/2013 by Legislative Services Agency

An [html](#) version of this document.