

TITLE 329 SOLID WASTE MANAGEMENT DIVISION

Emergency Rule
LSA Document #19-134(E)

DIGEST

Temporarily amends [329 IAC 9-1-1](#) and [329 IAC 9-8-1](#) to add extensions of compliance dates for federal underground storage tank requirements that are incorporated by reference so that the compliance dates are aligned with the effective date of LSA Document #16-204(F), posted at [20180627-IR-329160204FRA](#). Statutory authority: [IC 13-14-8-1](#). *NOTE: The original emergency document, LSA Document #18-510(E), posted at [20181121-IR-329180510ERA](#), effective November 15, 2018, expired February 13, 2019. Effective February 14, 2019.*

SECTION 1. (a) This SECTION supersedes [329 IAC 9-1-1\(d\)](#).

(b) When used in 40 CFR 280* as incorporated by [329 IAC 9-1-1](#), substitute the following:

(1) A reference to "state" means Indiana.

(2) A reference to "implementing agency" means the Indiana department of environmental management.

(3) A reference to 40 CFR 280.22 means [329 IAC 9-2-2](#).

(4) A reference to 40 CFR 280.53 means [329 IAC 9-4-4](#).

(5) A reference to 40 CFR 280, Subpart F means [329 IAC 9-5](#).

(6) A reference to 40 CFR 280, Subpart G means [329 IAC 9-6](#).

(7) A reference to 40 CFR 280, Subpart H means [329 IAC 9-8](#).

(8) A reference to an October 13, 2015, compliance date means June 28, 2018.

(9) A reference to an April 11, 2016, compliance date means December 26, 2018.

(10) A reference to an October 13, 2018, compliance date means June 28, 2021, except in 40 CFR 280, Subpart J.

(11) A reference to an October 13, 2021, compliance date means June 28, 2024.

(12) A reference to an October 13, 2022, compliance date means June 28, 2025.

SECTION 2. (a) This SECTION supersedes [329 IAC 9-8-1\(b\)](#).

(b) Owners and operators of petroleum UST systems shall comply with the requirements of [329 IAC 9-8](#).

SECTION 3. (a) This SECTION supplements [329 IAC 9-8-1](#).

(b) Owners and operators of previously deferred UST systems shall comply with the requirements of [329 IAC 9-8](#) according to the schedule in 40 CFR 280.251(a)*.

*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office, [www.gpo.gov](#), or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, IN 46204.

SECTION 4. A variance request from the requirements of this document shall be made in accordance with [IC 13-14-8-8](#).

SECTION 5. This document expires on the effective date of LSA Document #18-281 or 90 days after filing with the Publisher, whichever takes place first.

LSA Document #19-134(E)

Filed with Publisher: February 14, 2019, 8:23 a.m.

Posted: 02/20/2019 by Legislative Services Agency

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