
TITLE 326 AIR POLLUTION CONTROL DIVISION

Proposed Rule
LSA Document #19-409

DIGEST

Amends [326 IAC 2-6-1](#) concerning emissions reporting requirements for certain sources in Clark, Floyd, and LaPorte counties, and Lawrenceburg Township in Dearborn County. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-7](#) and Second Notice of Comment Period: August 28, 2019, Indiana Register (DIN: [20190828-IR-326190409FDA](#)).

Notice of First Hearing: August 28, 2019, Indiana Register (DIN: [20190828-IR-326190409PHA](#)).

Date of First Hearing: November 13, 2019.

PUBLIC COMMENTS UNDER [IC 13-14-9-4.5](#)

[IC 13-14-9-4.5](#) states that a board may not adopt a rule under [IC 13-14-9](#) that is substantively different from the draft rule published under [IC 13-14-9-4](#), until the board has conducted a third comment period that is at least 21 days long. Because this proposed rule is not substantively different from the draft rule published on August 28, 2019, at DIN: [20190828-IR-326190409FDA](#), the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from August 28, 2019, through September 27, 2019, on IDEM's draft rule language. No comments were received during the second comment period.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On November 14, 2019, the Environmental Rules Board (board) conducted the first public hearing/board meeting concerning the development of amendments to [326 IAC 2-6-1](#). No comments were made at the first hearing.

[326 IAC 2-6-1](#)

SECTION 1. [326 IAC 2-6-1](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 2-6-1](#) Applicability

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 1. (a) This rule applies to all of the following:

(1) Sources required to have a Part 70 operating permit under [326 IAC 2-7](#).

(2) Sources located in the following counties that emit volatile organic compounds (VOC) or oxides of nitrogen (NO_x) into the ambient air at levels equal to or greater than twenty-five (25) tons per year:

(A) Lake.

(B) Porter.

(C) ~~LaPorte.~~ **Clark.**

(D) ~~Lawrenceburg Township, Dearborn County.~~ **Floyd.**

(3) Sources that emit lead into the ambient air at levels equal to or greater than five (5) tons per year.

(b) All sources permitted by the department are subject to section 5 of this rule concerning additional information requests.

(c) Sources covered by subsection (a) must comply with the compliance schedule in section 3 of this rule.

(Air Pollution Control Division; [326 IAC 2-6-1](#); filed Nov 12, 1993, 4:00 p.m.: 17 IR 732; filed Feb 26, 2004, 3:45 p.m.: 27 IR 2210; filed Jul 14, 2006, 1:25 p.m.: [20060809-IR-326050078FRA](#); filed Oct 21, 2016, 10:24 a.m.: [20161116-IR-326160162FRA](#))

[Notice of Public Hearing](#)

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