
TITLE 326 AIR POLLUTION CONTROL DIVISION**Final Rule**

LSA Document #19-382(F)

DIGEST

Amends [326 IAC 1-1-3](#), concerning updates to references to the Code of Federal Regulations, to bring it up to date with the July 1, 2018, edition and [326 IAC 12-1-1](#) to update a reference. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#) and Draft Rule: August 7, 2019, Indiana Register (DIN: [20190807-IR-326190382FDA](#)).

Notice of First Hearing: August 7, 2019, Indiana Register (DIN: [20190807-IR-326190382PHA](#)).

Date of Hearing: November 13, 2019.

[326 IAC 1-1-3](#); [326 IAC 12-1-1](#)

SECTION 1. [326 IAC 1-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 1-1-3](#) References to the Code of Federal Regulations

Authority: [IC 4-22-2-21](#); [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

Affected: [IC 4-22-9-5](#); [IC 13-15](#); [IC 13-17](#)

Sec. 3. Unless otherwise indicated, any reference to a provision of the Code of Federal Regulations (CFR) shall mean **means** the July 1, ~~2015~~, **2018**, edition.

(Air Pollution Control Division; [326 IAC 1-1-3](#); filed Mar 10, 1988, 1:20 p.m.: 11 IR 2369; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1102; filed Dec 14, 1989, 9:35 a.m.: 13 IR 868; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2218; filed May 25, 1994, 11:00 a.m.: 17 IR 2237; filed Jul 25, 1995, 5:00 p.m.: 18 IR 3381; filed Jul 25, 1997, 4:00 p.m.: 20 IR 3298; filed Oct 30, 2000, 2:13 p.m.: 24 IR 667; filed May 21, 2002, 10:20 a.m.: 25 IR 3054; filed Aug 26, 2004, 11:30 a.m.: 28 IR 17; filed Oct 14, 2005, 10:00 a.m.: 29 IR 795; filed Mar 17, 2006, 1:00 p.m.: 29 IR 2517; filed Apr 26, 2007, 9:38 a.m.: [20070523-IR-326060412FRA](#); filed Apr 1, 2008, 9:59 a.m.: [20080430-IR-326070373FRA](#); filed Jul 1, 2009, 3:12 p.m.: [20090729-IR-326080901FRA](#); filed Oct 1, 2010, 3:49 p.m.: [20101027-IR-326100112FRA](#); filed Mar 28, 2012, 12:51 p.m.: [20120425-IR-326110472FRA](#); filed Aug 1, 2014, 10:53 a.m.: [20140827-IR-326130501FRA](#); filed Nov 7, 2016, 3:35 p.m.: [20161207-IR-326160208FRA](#); filed Mar 5, 2020, 2:08 p.m.: [20200401-IR-326190382FRA](#))

SECTION 2. [326 IAC 12-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 12-1-1](#) Applicability

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-12](#)

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

Sec. 1. (a) This article applies to the owner or operator of any stationary source for which a standard is prescribed under this article.

(b) ~~The air pollution control board incorporates by reference~~ **owner or operator of a stationary source subject to this article shall comply with 40 CFR 60*, except for 40 CFR 60, Subpart TTTT.**

(c) If the emission limitations contained in this article conflict with or are inconsistent with any other emission limitations established by this title, then the more stringent limitation ~~shall apply~~ **applies.**

~~*These documents are~~ ***This document is** incorporated by reference. Copies may be obtained from the Government Printing Publishing Office, 732 North Capitol Street NW, Washington, D.C. 20401 www.gpo.gov, or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Legal Counsel, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Thirteenth

Floor, Indianapolis, Indiana 46204.

(Air Pollution Control Division; [326 IAC 12-1-1](#); filed Mar 10, 1988, 1:20 p.m.: 11 IR 2554; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2218; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2372; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1603; filed Apr 26, 2007, 9:38 a.m.: [20070523-IR-326060412FRA](#); filed Mar 5, 2020, 2:08 p.m.: [20200401-IR-326190382FRA](#))

LSA Document #19-382(F)

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20190807-IR-326190382FDA](#)
Hearing Held: November 13, 2019

Approved by Attorney General: February 27, 2020

Approved by Governor: March 5, 2020

Filed with Publisher: March 5, 2020, 2:08 p.m.

Documents Incorporated by Reference: 29 CFR 1910 and 29 CFR 1926, dated July 1, 2018; 40 CFR 60, excluding Subpart TTTT, dated July 1, 2018; 40 CFR 2.301, 40 CFR 50, 40 CFR 51, 40 CFR 52, 40 CFR 53, 40 CFR 58, 40 CFR 61, 40 CFR 62, 40 CFR 63, 40 CFR 64, 40 CFR 68, 40 CFR 70, 40 CFR 72, 40 CFR 73, 40 CFR 74, 40 CFR 75, 40 CFR 76, 40 CFR 77, 40 CFR 78, 40 CFR 80, 40 CFR 81, 40 CFR 82, 40 CFR 85, 40 CFR 86, 40 CFR 88, 40 CFR 93, 40 CFR 97, 40 CFR 98, 40 CFR 122, 40 CFR 136, 40 CFR 144, 40 CFR 261, 40 CFR 264, 40 CFR 265, 40 CFR 266, 40 CFR 268, 40 CFR 270, 40 CFR 302, 40 CFR 763 (all dated July 1, 2018)

Small Business Regulatory Coordinator: Angela Taylor, IDEM Small Business Regulatory Coordinator/CTAP Small Business Liaison, IGCN 1316, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 233-0572 or (800) 988-7901, ctap@idem.in.gov

Small Business Assistance Program Ombudsman: Erin Moorhous, IDEM Small Business Assistance Program Ombudsman/Business, Agricultural, and Legislative Liaison, IGCN 1301, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 232-8921 or (800) 451-6027, emoorhou@idem.in.gov

Posted: 04/01/2020 by Legislative Services Agency

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