

## TITLE 326 AIR POLLUTION CONTROL DIVISION

**Emergency Rule**  
LSA Document #23-92(E)

DIGEST

Temporarily amends [326 IAC 1-4-11](#) and [326 IAC 1-4-23](#) to change the status of Clark and Floyd counties from "marginal nonattainment" to "attainment" for the 2015 8-hour National Ambient Air Quality Standards (NAAQS) for ozone. Temporarily amends [326 IAC 1-4-46](#) and [326 IAC 1-4-65](#) to change the status of Lake and Porter counties from "serious nonattainment" to "attainment" for the 2008 8-hour NAAQS for ozone and to change the status for certain townships in Lake and Porter counties from "marginal nonattainment" to "moderate nonattainment" for the 2015 8-hour NAAQS for ozone. Temporarily amends [326 IAC 2-6-1](#) to remove Clark and Floyd counties and the southern townships of Lake and Porter counties. Statutory authority: [IC 13-14-8-1](#). Effective March 15, 2023.

SECTION 1. (a) This SECTION supersedes [326 IAC 1-4-11](#).

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

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective July 5, 2022, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 2. (a) This SECTION supersedes [326 IAC 1-4-23](#).

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

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective July 5, 2022, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

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

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

Pollutant	Designation
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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; 148 <sup>th</sup> 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>	Attainment effective May 20, 2022, for the 2008 8-hour ozone standard.
O <sub>3</sub>	Moderate nonattainment effective November 7, 2022, for the 2015 8-hour ozone standard for Calumet, Hobart, North, Ross, and St. John townships. Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard for the remainder of the county.
PM <sub>2.5</sub>	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour 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>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 4. (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>	Attainment effective May 20, 2022, for the 2008 8-hour ozone standard.
O <sub>3</sub>	Moderate nonattainment effective November 7, 2022, for the 2015 8-hour ozone standard for Center, Jackson, Liberty, Pine, Portage, Union, Washington, and Westchester townships. Unclassifiable or attainment effective August 3, 2018, for the remainder of the county.
PM <sub>2.5</sub>	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 5. (a) This SECTION supersedes [326 IAC 2-6-1](#).

(b) 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<sub>x</sub>) into the ambient air at levels equal to or greater than twenty-five (25) tons per year:**

**(A) Lake; Calumet, Hobart, North, Ross, and St. John townships only.**

**(B) Porter; Center, Jackson, Liberty, Pine, Portage, Union, Washington, and Westchester townships only.**

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

**(c) All sources permitted by the department are subject to [326 IAC 2-6-5](#) concerning additional information requests.**

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

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