

Final Rule  
LSA Document #23-29

## DIGEST

Amends [326 IAC 1-1-3](#) to update the Code of Federal Regulations (CFR) to the July 1, 2022, edition.  
Amends [326 IAC 20-1-1](#) to incorporate by reference 40 CFR 63, Subpart C, into the state's emission standards for hazardous air pollutants. Effective 30 days after filing with the publisher.

**HISTORY**

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): January 25, 2023, Indiana Register (DIN: [20230125-IR-326230029FDA](#)).

Notice of First Hearing: January 25, 2023, Indiana Register (DIN: [20230125-IR-326230029PHA](#)).

Change in Notice of Public Hearing: April 19, 2023, Indiana Register (DIN: [20230419-IR-326230029CHA](#)).

Date of Public Hearing: June 14, 2023.

**[326 IAC 1-1-3](#); [326 IAC 20-1-1](#)**

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) means the July 1, ~~2018~~, **2022**, 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](#); filed Sep 20, 2023, 4:27 p.m.: [20231018-IR-326230029FRA](#))

SECTION 2. [326 IAC 20-1-1](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 20-1-1](#) Incorporation of federal regulations**

**Authority:** [IC 13-15-2-1](#); [IC 13-17-3-4](#)

**Affected:** [IC 13-12-3-1](#)

Sec. 1. The air pollution control board incorporates by reference **following federal regulations are incorporated by reference:**

- (1) 40 CFR 63, Subpart A\*, concerning general provisions for emission standards for hazardous air pollutants.
- (2) 40 CFR 63, Subpart C\*, concerning the list of hazardous air pollutants, petitions process, lesser quantity designations, and source category list.

\*These documents are incorporated by reference. Copies ~~section~~ may be obtained from the Government Printing Publishing Office, 732 North Capitol Street NW, Washington, D.C. 20404 [www.gpo.gov](http://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 IN 46204.

(Air Pollution Control Division; [326 IAC 20-1-1](#); filed May 25, 1994, 11:00 a.m.: 17 IR 2282; errata filed May 25, 1994, 11:10 a.m.: 17 IR 2358; filed Nov 1, 1995, 8:30 a.m.: 19 IR 340; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3089; filed Sep 20, 2023, 4:27 p.m.: [20231018-IR-326230029FRA](#))

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Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20230125-IR-326230029FDA](#)

Hearing Held: June 14, 2023

Approved by Attorney General: September 12, 2023

Approved by Governor: September 18, 2023

Filed with Publisher: September 20, 2023, 4:27 p.m.

Documents Incorporated by Reference: 40 CFR 63, Subpart C, July 1, 2022, edition

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