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TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule LSA Document #04-300

DIGEST

Adds 326 IAC 20-90 through 326 IAC 20-94 concerning stationary combustion engines, lime manufacturing plants, iron and steel foundries, integrated iron and steel manufacturing, and mercury cell chlor-alkali plants, respectively. Effective 30 days after filing with the secretary of state.

HISTORY

IC 13-14-9-8 Notice and Notice of First Hearing: December 1, 2004, Indiana Register (28 IR 1077).

Date of First Hearing: February 2, 2005.

Notice of Second Hearing: March 1, 2005.

Date of Second Hearing: May 4, 2005.

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 twenty-one (21) days long. Because this proposed rule is not substantively different from the draft rule published on December 1, 2004, at 28 IR 1077, the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On February 2, 2005, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of new rules 326 IAC 20-90 through 326 IAC 20-94. No comments were made at the first hearing.

326 IAC 20-90

326 IAC 20-93

326 IAC 20-91

326 IAC 20-94

326 IAC 20-92

SECTION 1. 326 IAC 20-90 IS ADDED TO READ AS FOLLOWS:

Rule 90. Stationary Combustion Turbines

326 IAC 20-90-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.6085* (69 FR 10537, March 5, 2004).

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart YYYY* (69 FR 10537, March 5, 2004, National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines).

***This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 20-90-1)**

SECTION 2. 326 IAC 20-91 IS ADDED TO READ AS FOLLOWS:

Rule 91. Lime Manufacturing Plants

326 IAC 20-91-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.7081* (69 FR 416, January 5, 2004).

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart AAAAA* (69 FR 416, January 5, 2004, National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants).

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-91-1*)

SECTION 3. 326 IAC 20-92 IS ADDED TO READ AS FOLLOWS:

Rule 92. Iron and Steel Foundries

326 IAC 20-92-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.7681* (69 FR 21924, April 22, 2004).

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart EEEEE* (69 FR 21923, April 22, 2004, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries).

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-92-1*)

SECTION 4. 326 IAC 20-93 IS ADDED TO READ AS FOLLOWS:

Rule 93. Integrated Iron and Steel Manufacturing

326 IAC 20-93-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.7781* (68 FR 27663, May 20, 2003).

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart FFFFF* (68 FR 27663, May 20, 2003, National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities).

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-93-1*)

SECTION 5. 326 IAC 20-94 IS ADDED TO READ AS FOLLOWS:

Rule 94. Mercury Cell Chlor-Alkali Plants

326 IAC 20-94-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.8182* (68 FR 70928, December 19, 2003).

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart IIII* (68 FR 70928, December 19, 2003, National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants).

***This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 20-94-1)**

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on May 4, 2005 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on proposed new rules 326 IAC 20-90 through 326 IAC 20-94.

The purpose of this hearing is to receive comments from the public prior to final adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Gayl Killough, Rule Development Section, Office of Air Quality, (317) 233-8628 or (800) 451-6027 (in Indiana).

Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator

Indiana Department of Environmental Management

100 North Senate Avenue

Indianapolis, Indiana 46204

or call (317) 233-0855 or (317) 232-6565 (TDD). Speech and hearing impaired callers may contact IDEM via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Kathryn A. Watson, Chief
Air Programs Branch
Office of Air Quality