ARTICLE 11. EMISSION LIMITATIONS FOR SPECIFIC TYPES OF OPERATIONS

Rule 1. Existing Foundries

326 IAC 11-1-1 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. This rule establishes emission limitations for particulate matter from foundries. Particulate emissions from all foundries in operation on or before December 6, 1968, shall comply with the requirements set forth in section 2 of this rule. All foundries beginning operation after December 6, 1968, shall comply with 326 IAC 6-3. If any emission limit established by this rule is inconsistent with applicable limits contained in 326 IAC 6-1, then the limit contained herein shall not apply; but the limit in 326 IAC 6-1 shall apply. *(Air Pollution Control Board; 326 IAC 11-1-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2548; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2371; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1602)*

326 IAC 11-1-2 Particulate matter emission limitations

Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 2. No facility subject to this rule (326 IAC 11-1) shall cause, suffer, or allow particulate matter to be emitted in excess of the amount shown in the following table.

Allowable Emissions from Foundry Cupolas

Process Weight Rate Lbs/Hr	Allowable Emission of Particulate Matter Lbs/Hr
1,000	3.05
2,000	4.70
3,000	6.35
4,000	8.00
5,000	9.65
6,000	11.30
7,000	12.90
8,000	14.00
9,000	15.50
10,000	16.65
12,000	18.70
16,000	21.60
18,000	22.80
20,000	24.00
30,000	30.00
40,000	36.00
50,000	42.00
60,000	48.00
70,000	49.00
80,000	50.50
90,000	51.60
100,000	52.60

(Air Pollution Control Board; 326 IAC 11-1-2; filed Mar 10, 1988, 1:20 pm: 11 IR 2548; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

Rule 2. Sulfuric Acid Plants

326 IAC 11-2-1 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) All sulfuric acid production facilities located in Indiana are subject to the emission limitations specified in this rule and shall be defined as established in subsection (b).

(b) As used in this rule, "sulfuric acid production unit" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, organic sulfides and mercaptans, or acid sludge. The term does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds. *(Air Pollution Control Board; 326 IAC 11-2-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2548; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2371; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1603)*

326 IAC 11-2-2 Gaseous emission limitations
Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 2. (a) New Sources: Gaseous emissions from sulfuric acid production facilities constructed after December 23, 1971, shall be limited to ten percent (10%) opacity and shall not contain sulfuric acid mist in excess of 0.075 kg per metric ton of acid produced (0.15 lb per ton), the production of which being expressed as one hundred percent (100%) H_2SO_4.

(b) Existing Sources: After January 1, 1980, no gaseous emissions shall be discharged into the atmosphere, from sulfuric acid production facilities in existence prior to December 23, 1971, which contain sulfuric acid mist in excess of 0.25 kg per metric ton of acid produced (0.5 lb per ton) the production of which being expressed as one hundred percent (100%) H_2SO_4. *(Air Pollution Control Board; 326 IAC 11-2-2; filed Mar 10, 1988, 1:20 pm: 11 IR 2548; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

326 IAC 11-2-3 Compliance determination
Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 3. Compliance with the emission limitations contained in this rule (326 IAC 11-2) shall be determined as specified in 40 CFR 60, Appendix A, Method 8. *(Air Pollution Control Board; 326 IAC 11-2-3; filed Mar 10, 1988, 1:20 pm: 11 IR 2548; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

Rule 3. Coke Oven Batteries

326 IAC 11-3-1 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. This rule applies to all coke oven batteries for which construction or modification commenced prior to June 19, 1979. Emission limitations for coke oven batteries construction or modification of which commences after June 19, 1979, shall be established as permit conditions pursuant to the provisions and requirements of 326 IAC 2 concerning permits and new source review. *(Air Pollution Control Board; 326 IAC 11-3-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2548; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2371; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1603)*

326 IAC 11-3-2 Emission limitations
Authority: IC 13-1-1-4; IC 13-7-2-10; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-2

Sec. 2. (a) Precarbonization emissions requirements shall be as follows:

(1) Particulate emissions from precarbonization towers shall be limited by the emission limitations determined under 326 IAC 6-1.

(2) Visible emissions from any precarbonization unit shall comply with the requirements set forth in 326 IAC 5-1.

(b) Visible emissions from the charging system, including any open charge port, offtake system, mobile jumper pipe, or larry car shall be limited as follows:

(1) On and after July 1, 1979, such emissions shall not be visible for more than a cumulative total of two hundred (200) seconds during five (5) consecutive charging periods.

(2) On and after July 1, 1980, such emissions shall not be visible for more than a cumulative total of one hundred seventy-five (175) seconds during five (5) consecutive charging periods.

(3) On and after July 1, 1981, such emissions shall not be visible for more than a cumulative total of one hundred fifty (150) seconds during five (5) consecutive charging periods.

(4) On and after July 1, 1982, such emissions shall not be visible for more than a cumulative total of one hundred twenty-five (125) seconds during five (5) consecutive charging periods.

(5) One (1) charge out of twenty (20) consecutive charges shall be exempt from the total seconds of charging emissions using the procedures set forth in section 4(a) of this rule.

(c) Charge port lid emissions requirements shall be as follows:

(1) On and after July 1, 1979, no visible emissions shall be permitted from more than ten percent (10%) of the total charge port lids on any coke oven battery.

(2) On and after July 1, 1980, no visible emissions shall be permitted from more than seven percent (7%) of the total charge port lids on any coke oven battery.

(3) On and after July 1, 1981, no visible emissions shall be permitted from more than five percent (5%) of the total charge port lids on any coke oven battery.

(4) On and after July 1, 1982, no visible emissions shall be permitted from more than three percent (3%) of the total charge port lids on any coke oven battery.

(d) Offtake piping emissions requirements shall be as follows:

(1) On and after July 1, 1979, no visible emissions shall be permitted from more than thirty percent (30%) of the total offtake piping on any coke oven battery.

(2) On and after July 1, 1980, no visible emissions shall be permitted from more than twenty-five percent (25%) of the total offtake piping on any coke oven battery.

(3) On and after July 1, 1981, no visible emissions shall be permitted from more than twenty percent (20%) of the total offtake piping on any coke oven battery.

(4) On and after July 1, 1982, no visible emissions shall be permitted from more than ten percent (10%) of the total offtake piping on any coke oven battery.

(5) On and after December 10, 1993, no visible emissions shall be permitted from more than five percent (5%) of the total offtake piping on any coke oven battery within Lake County.

(e) Gas collector main emissions requirements shall be as follows:

(1) On and after July 1, 1979, no visible emissions shall be permitted from more than eight (8) points on the gas collector main, excluding the connection with the standpipes.

(2) On and after July 1, 1980, no visible emissions shall be permitted from more than six (6) points on the gas collector main, excluding the connection with the standpipes.

(3) On and after July 1, 1981, no visible emissions shall be permitted from more than five (5) points on the gas collector main, excluding the connection with the standpipes.

(4) On and after July 1, 1982, no visible emissions shall be permitted from more than three (3) points on the gas collector main, excluding the connection with the standpipes.

(5) On and after December 10, 1993, no visible emissions shall be permitted from the gas collector main on any coke oven battery within Lake County.

(f) Oven door emissions requirements shall be as follows:

(1) On and after July 1, 1979, no visible emissions shall be permitted from more than twenty-five percent (25%) of the total coke oven doors, plus four (4) doors, on any coke oven battery.

(2) On and after July 1, 1980, no visible emissions shall be permitted from more than twenty percent (20%) of the total coke oven doors, plus four (4) doors, on any coke oven battery.

(3) On and after July 1, 1981, no visible emissions shall be permitted from more than fifteen percent (15%) of the total coke oven doors, plus four (4) doors, on any coke oven battery.

(4) On and after July 1, 1982, no visible emissions shall be permitted from more than ten percent (10%) of the total coke oven doors, plus four (4) doors, on any coke oven battery.
(5) On and after December 10, 1993, no visible emissions shall be permitted from more than ten percent (10%) of the observed coke oven doors on any coke oven battery within Lake County.
(g) Pushing emissions requirements shall be as follows:
(1) All coke oven batteries shall be equipped with a device capable of capturing and collecting coke-side particulate matter such that the effluent gas emissions contain no more than four-hundredths (0.04) gram per two (2.0) kilogram of coke pushed.
(2) Such device shall be designed and operated in compliance with an operating permit to collect ninety percent (90%) of the pushing emissions. If the construction and design of the device have been approved by the commissioner by granting the permit, the device, if operated properly in compliance with the permit conditions, will be assumed to be collecting ninety percent (90%) of the pushing emissions. The permit shall be submitted to U.S. EPA as a SIP revision.
(h) Quenching emissions requirements shall be as follows:
(1) Quench towers serving existing coke oven batteries for which construction commenced prior to June 19, 1979, shall not have visible emissions from the quenching of coke with the direct application of water to hot coke unless quenching is conducted under a tower equipped with efficient baffles to impede the release of particulates into the atmosphere. Efficient baffles are baffles taking the form of slats, louvers, screens, or other impediments placed in a configuration within a quench tower to force a change of direction and reduction of velocity of the steam plume to aid in the reduction of particulate matter emitted.
(2) The quench water makeup must contain a total dissolved solids content of no more than one thousand five hundred (1,500) milligrams per liter. If an individual facility or source is required to comply with conflicting Indiana water pollution control requirements, the commissioner may revise quenching requirements of this subsection on a case-by-case basis. Prior to granting or denying such a revision, the commissioner shall consider the following factors:
(A) The total estimated particulate emissions from the quenching operation of the facility or source at the time the petition is filed.
(B) The amount of reduction in particulate emissions which would be realized if the source were required to comply with the requirements of this subsection.
(C) The net increase in pollutant loadings to any receiving waters which would result from measures needed to comply with this subsection.
(D) The net overall environmental effect of requiring the facility or source to comply with this subsection.
(E) The costs which will necessarily be incurred by the facility or source to comply with this subsection.
(i) Underfire particulate and sulfur dioxide emissions requirements shall be as follows:
(1) Particulate and sulfur dioxide emissions from underfire stacks shall be limited by the emission limitations determined under 326 IAC 6-1, 326 IAC 6-2, and 326 IAC 7-1.1, respectively.
(2) Visible emissions from any underfire stack shall comply with 326 IAC 5-1.
(Air Pollution Control Board; 326 IAC 11-3-2; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2549; filed May 12, 1993, 11:30 a.m.: 16 IR 2398; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

326 IAC 11-3-3 Identification of coke oven
Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 3. The identity of each coke oven shall be maintained in such a manner that it is easily and readily visible from the topside and on each coke and push-side on every coke oven battery. *(Air Pollution Control Board; 326 IAC 11-3-3; filed Mar 10, 1988, 1:20 pm: 11 IR 2550; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

326 IAC 11-3-4 Compliance determination
Authority: IC 13-13; IC 13-14-9; IC 13-17-3
Affected: IC 13-13; IC 13-14-8; IC 13-17

Sec. 4. (a) This subsection applies to charging emissions. To determine compliance with section 2(b) of this rule, observations shall be made and the identity recorded from any point or points on the topside of a coke oven battery such that the observer can

obtain an unobstructed view of the charging operation. The observer shall keep cumulative time of the total number of seconds charging emissions are visible. Time is started when a visible emission appears and is stopped when the visible emission expires. This procedure shall continue throughout the entire charging period. Visible emissions occurring simultaneously from two (2) or more separate points shall be timed as one (1). The following shall not be timed:

(1) Visible emissions from burning coal spilled on the top of the oven or oven lids during charging.
(2) Visible emissions from any equipment other than the charging system or charge ports.
(3) Visible emissions from standpipes during charging.
(4) Visible emissions from the charge port lids and the standpipe on the oven most recently charged.
(5) Visible emissions from coke oven doors which may be wind-blown across the topside of a coke oven battery.
(6) Visible emissions due to steam from uncombined water.

The time retained is the total time visible emissions are observed during a charge and shall be recorded on a data sheet. If the observations of a consecutive set of five (5) charges are interrupted by an event not in the control of the observer, for example, momentary interference by a passing quench car plume, then the data for the interrupted charge(s) shall be discarded and additional consecutive charges shall be observed. Five (5) charges observed as such shall be treated as consecutive charges. To determine compliance with section (2)(b) of this rule, the observer shall discard the data for the charge observed, during each set, which contains the greatest cumulative total number of seconds during which emissions are visible. A set shall consist of the total number of consecutive charges read by the observer during any one (1) observation period, but in no event shall a set exceed twenty (20) consecutive charges.

(b) Topside emissions requirements shall be as follows:

(1) To determine compliance with topside emission limitations in section 2(c) and 2(d) of this rule, the observer shall walk the length of the topside of a coke oven battery, on a line down the middle of the battery, or as close to as safety permits, to record the identity of standpipes in a single traverse and charge port lids in a single traverse that have any visible emissions. The following shall not be counted:

(A) Visible emissions from burning coal spilled on the top of the oven or oven lids.
(B) Visible emissions from charge port lids and standpipe lids, from a maximum of three (3) ovens, that are opened during a decarbonization period or charging period.
(C) Visible emissions from the standpipe on an oven being charged.
(D) Visible emissions resulting from maintenance work.
(E) Visible emissions from steam caused by the vaporization of wet luting material.
(F) Visible emissions due to steam from uncombined water.

(2) Visible emissions from charge port lids shall include all emissions from the charge port casting/lid interface.

(3) Visible emissions from the offtake piping assembly shall include the following:

(A) Any leaks from cracks and/or defects in the piping itself.
(B) Any leaks coming from the flanged joints of any pipes, including the final joint with the collector main.
(C) Any leaks coming from the standpipe base.
(D) Leaks coming from the standpipe lid or along its seal with the standpipe.
(E) Any leaks from the offtake piping assembly which are not contained in one (1) of the categories in this subdivision.

(c) This subsection applies to oven door emissions. To determine compliance with section 2(f) of this rule, the observer shall record the starting time of the inspection, then shall move steadily along the push-side or coke-side of a coke oven battery stopping only to record the identity of any doors of ovens not temporarily or permanently taken out of service that have visible emissions, but not including visible emissions due to steam from uncombined water. The inspector shall have any of the following options:

(1) To wait for any doors which are blocked from the inspector's view to become unobstructed.
(2) To continue the inspection and return when the view of the doors becomes unobstructed.
(3) To exclude the obstructed doors from the calculation of the total number of doors observed.

The finishing time of that inspection shall be recorded followed by the inspector repeating the same procedure on the opposite side of the same battery. The inspector shall be positioned either outside of the quench car tracks on the coke-side of the battery or outside of the push-side bench. After a brief scan of a coke oven door, the observer shall proceed in the inspection checking each succeeding door in a like manner.

(d) Testing to determine the amount of particulate matter emitted from any facility subject to a grain loading or process weight limitation of this rule shall be conducted in accordance with the procedures set forth in 40 CFR 60, Appendix A, Methods 1-5*.

(e) To determine compliance with gas collector main emission limitations in section 2(e) of this rule, the observer shall walk

the length of the topside of the gas collector main, to record the number of points in a single traverse from which emissions are visible.

*These documents are 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 11-3-4; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2550; filed May 12, 1993, 11:30 a.m.: 16 IR 2400; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1569; filed Aug 26, 2004, 11:30 a.m.: 28 IR 74)*

326 IAC 11-3-5 Compliance schedules

Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 5. (a) Sources subject to the requirements of 326 IAC 11-3-2(a), (g), (h), and (i) shall achieve compliance pursuant to the schedule requirements in 326 IAC 6-1.

(b) Sources subject to the requirements of 326 IAC 11-3-2(b), (c), (d), (e), and (f) shall achieve compliance pursuant to the individual schedules of 326 IAC 11-3-2, except that:

(1) where compliance with an emission limitation effective July 1, 1979, is not achieved; and

(2) where a program, approved by the commissioner, has been or will be established to comply with the emissions effective July 1, 1980; and

(3) adherence to the program in subsection (b)(2) of this section shall be considered as compliance with the emission limitation discussed in subsection (b)(2) of this section.

(Air Pollution Control Board; 326 IAC 11-3-5; filed Mar 10, 1988, 1:20 pm: 11 IR 2551; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

326 IAC 11-3-6 State implementation plan revisions

Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 6. Any exemptions given or revisions granted to a source by the commissioner in accordance with 326 IAC 11-3-2(h)(1) shall be submitted to the U.S. EPA as a SIP revision. *(Air Pollution Control Board; 326 IAC 11-3-6; filed Mar 10, 1988, 1:20 pm: 11 IR 2551; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

Rule 4. Fiberglass Insulation Manufacturing

326 IAC 11-4-1 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. This rule applies to facilities for producing fiberglass insulation by the superfine (flame blown) process existing on June 19, 1979, located in Shelby County. Facilities shall be exempt from 326 IAC 6-3. *(Air Pollution Control Board; 326 IAC 11-4-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2551; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2371; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1603)*

326 IAC 11-4-2 Particulate matter emission limitations

Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 2. (a) No person shall operate any facility subject to this rule (326 IAC 11-4) so as to discharge or cause to be discharged into the atmosphere any gases unless such gases are limited to:

(1) a particulate matter content of not more than 0.047 milligram/dscm (0.025 grain/dscf) from forming facilities;

(2) a particulate matter content of not more than 0.47 milligram/dscm (0.25 grain/dscf) from furnace operations.

(b) The specific facilities and processes listed in 326 IAC 11-4-4 shall not emit particulate matter in excess of the limitations contained therein. *(Air Pollution Control Board; 326 IAC 11-4-2; filed Mar 10, 1988, 1:20 pm: 11 IR 2552; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

326 IAC 11-4-3 Testing; compliance schedule

Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-1-1-4; IC 13-7-1-1; IC 13-7-7-5

Sec. 3. (a) Testing to determine the amount of particulate matter emitted from any facility subject to the requirements of this rule (326 IAC 11-4) shall be conducted in accordance with the procedures set forth in 40 CFR 60, Appendix A, Methods 1–5, or other equivalent procedures approved by the commissioner.

(b) Compliance with this rule (326 IAC 11-4) shall be achieved in accordance with the schedule contained in 326 IAC 6-1-4. *(Air Pollution Control Board; 326 IAC 11-4-3; filed Mar 10, 1988, 1:20 pm: 11 IR 2552; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

326 IAC 11-4-4 Emission limitations

Authority: IC 13-1-1-4; IC 13-7-7
Affected: IC 13-1-1-1; IC 13-7-1-1

Sec. 4. (a) Emission limitations established for existing sources set forth in this rule (326 IAC 11-4) shall be identical with corresponding emission limitations set forth in Indiana's state implementation plan (SIP) as submitted to the U.S. EPA for approval. Said emission limitations are set forth in 326 IAC 11-4-5, and are a part hereof; however, as permits are issued by the commissioner pursuant to this rule (326 IAC 11-4), which incorporates the emission limitations set forth in 326 IAC 11-4-5, the emission limitations set forth in the permit shall supersede and replace the corresponding limitations in 326 IAC 11-4-5. However, if the limitations set forth in 326 IAC 11-4-5 are determined to be inappropriate and are revised and submitted to the U.S. EPA as a SIP revision, the permits shall reflect the revised limitations.

(b) Upon issuance, any permits which contain revised emission limitations in accordance with subsection (a) of this section, shall be submitted to the U.S. EPA as a SIP revision. *(Air Pollution Control Board; 326 IAC 11-4-4; filed Mar 10, 1988, 1:20 pm: 11 IR 2552; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

326 IAC 11-4-5 Shelby County

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-14
Affected: IC 13-17-1; IC 13-17-3

Sec. 5.

Shelby County
Source: Knauf Fiber Glass

Facility Description	Maximum Hourly Emission Rate lbs/hour
605 oven	8.00
601 Forming plus oven	28.28
603 Forming plus oven	16.49
602 Forming plus oven	33.27
Superfine Processes	
605 furnace	10.00
605 forming	15.00

(Air Pollution Control Board; 326 IAC 11-4-5; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2552; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Aug 28, 2002, 1:50 p.m.: 26 IR 10)

Rule 5. Fluoride Emission Limitations for Existing Primary Aluminum Plants (Repealed)

(Repealed by Air Pollution Control Board; filed Aug 28, 2002, 1:48 p.m.: 26 IR 10)

Rule 6. Hospital/Medical/Infectious Waste Incinerators

326 IAC 11-6-1 Applicability

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) Except as provided in subsections (b) and (c), this rule applies to each hospital/medical/infectious waste incinerator for which construction was commenced on or before June 20, 1996, hereafter referred to as "designated facility".

(b) The following are exempt from this rule:

(1) Any combustor during periods when only pathological waste, low-level radioactive waste, or chemotherapeutic waste, or any combination of these wastes, is burned, regardless of whether the waste meets the definition of hospital waste or medical/infectious waste, provided the owner or operator of the combustor does the following:

(A) Notifies the department and U.S. EPA of an exemption claim.

(B) Maintains records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste, or chemotherapeutic waste, or any combination of these wastes, is burned.

(2) Any cofired combustor if the owner or operator of the cofired combustor does the following:

(A) Notifies the department and U.S. EPA of an exemption claim.

(B) Provides the department and U.S. EPA with an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels or wastes to be combusted.

(C) Maintains records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the cofired combustor.

(3) Any combustor required to have a permit under Section 3005 of the Solid Waste Disposal Act (42 U.S.C. 6925)*.

(4) Any combustor that meets the applicability requirements under 40 CFR 60, Subpart Cb*, Ea*, or Eb* (standards or guidelines for certain municipal waste combustors).

(5) Any pyrolysis unit.

(6) Cement kilns firing hospital waste or medical/infectious waste, or any combination of these wastes.

(c) Physical or operational changes made to an existing hospital/medical/infectious waste incinerator solely for the purpose of complying with emission limits under this rule are not considered modifications and do not result in an existing hospital/medical/infectious waste incinerator becoming subject to 40 CFR 60, Subpart Ec*.

(d) The provisions in 40 CFR Part 60.24(f)* shall not apply to designated facilities.

*These documents are 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 11-6-1; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1964; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3078)*

326 IAC 11-6-2 Definitions

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 2. (a) Terms used in this rule have the meaning given in the following definition sections:

(1) 40 CFR 60, Subpart Ce, Section 60.31e*.

(2) Subpart Ec, Section 60.51c*.

(b) If a term is not defined in subdivision (1) or subdivision (2), then the term has the meaning defined in the CAA and 40 CFR 60, Subpart A* and 40 CFR 60, Subpart B*.

*These documents are 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 11-6-2; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1964; readopted filed Jan 10, 2001, 3:20*

p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3078)

326 IAC 11-6-3 Permits
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 3. Designated facilities shall submit an application for a Part 70 permit, in accordance with 326 IAC 2-7-4, to the department no later than the earlier of the following:
(1) One (1) year from the effective date of this rule; or
(2) September 15, 2000.
(Air Pollution Control Board; 326 IAC 11-6-3; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1965; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

326 IAC 11-6-4 Emission limits
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 4. (a) The designated facility shall not exceed the emission limits specified in the following:
(1) 40 CFR 60, Subpart Ce, Section 60.33e(a)*.
(2) 40 CFR 60, Subpart Ec, Section 60.52c(b)*.
(b) The emission limit for cadmium for large sources is sixteen-hundreths *[sic., hundredths]* (0.16) milligram per dry standard cubic meter (seven-hundredths (0.07) grain per thousand (1,000) dry standard cubic feet) or sixty-five percent (65%) reduction.
*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, Washington, D.C. 20401 and 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 11-6-4; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1965; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3079)*

326 IAC 11-6-5 Operator training and qualification requirements
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 5. (a) The owner or operator of a designated facility shall comply with the operator training requirements specified in 40 CFR 60, Subpart Ec, Section 60.53c*.
(b) Compliance with operator training and qualification requirements shall be achieved within one (1) year after the effective date of this rule.
*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 11-6-5; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1965; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3079)*

326 IAC 11-6-6 Waste management plans
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 6. (a) The owner or operator of a designated facility shall prepare a waste management plan as specified in 40 CFR 60, Subpart Ec, Section 60.55c*.
(b) The waste management plan shall be submitted to the department by the date specified in 40 CFR 60, Subpart Ec, Section 60.58c(c)*.
*These documents are 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 11-6-6; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1965; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3079)*

326 IAC 11-6-7 Compliance, performance testing, and monitoring

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 7. (a) Performance tests shall be conducted and compliance shall be determined in accordance with the test methods and procedures found in 40 CFR 60, Subpart Ec, Section 60.56c*, excluding the fugitive emissions testing requirements under Section 60.56c(b)(12)* and 60.56c(c)(3)*.

(b) The performance testing shall also meet the requirements of 326 IAC 3-6, source sampling procedures, including the submittal of a test protocol no later than thirty-five (35) days prior to the intended test date. The test methods in 40 CFR 60, Subpart Ec, Section 60.56c*, shall not be modified unless approved by the EPA administrator.

(c) The owner or operator of a designated facility shall comply with the monitoring requirements specified in 40 CFR 60, Subpart Ec, Section 60.57c*.

*These documents are 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 Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. *(Air Pollution Control Board; 326 IAC 11-6-7; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1965; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3080)*

326 IAC 11-6-8 Reporting and record keeping requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 8. (a) The owner or operator of a designated facility shall comply with the following reporting and record keeping requirements:

(1) 40 CFR 60, Subpart Ec, Section 60.58c(b)*, excluding 40 CFR 60, Subpart Ec, 60.58c(b)(2)(ii) (fugitive emissions)*, and 40 CFR 60, Subpart Ec, 60.58c(b)(7) (siting)*.
(2) 40 CFR 60, Subpart Ec, Section 60.58c(c)*.
(3) 40 CFR 60, Subpart Ec, Section 60.58c(d)*.
(4) 40 CFR 60, Subpart Ec, Section 60.58c(e)*
(5) 40 CFR 60, Subpart Ec, Section 60.58c(f)*.

(b) The owner or operator of a designated facility shall comply with information requests made by the department in order to develop the emissions inventory to be included in the state plan required by 40 CFR 60, Subpart B, Section 60.25(a)*. The owner or operator shall submit the information to the department within sixty (60) days of receipt of request.

*These documents are 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 11-6-8; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1966; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3080)*

326 IAC 11-6-9 Compliance schedule

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 9. (a) Except as provided in subsections (b) and (d), each designated facility shall be in compliance with all provisions of this rule no later than the earlier of the following:

(1) one (1) year from the effective date of this rule; or

(2) September 15, 2000;
regardless of whether the designated facility is identified in the state plan inventory required by 40 CFR 60, Subpart B, Section 60.25(a)*.

(b) The owner or operator of a designated facility planning to install the necessary air pollution control equipment shall be in compliance with all provisions of this rule no later than March 31, 2002, provided that the designated facility complies with the measurable and enforceable incremental steps of progress in this subsection. The owner or operator of the designated facility shall do the following:

(1) Submit a final control plan to the department no later than June 30, 1999.

(2) Award contracts for emission control systems or for process modifications, or issuance of orders for the purchase of component parts to accomplish emission control or process modifications no later than March 31, 2000.

(3) Initiate on-site construction or installation of emission control equipment or process change no later than March 31, 2001.

(4) Complete on-site construction or installation of emission control equipment or process change no later than September 30, 2001.

(5) Be in final compliance no later than March 31, 2002.

(c) The owner or operator shall notify the department within thirty (30) days of the applicable date in subsection (b) if an incremental step of progress is not completed by that date. Notifying the department under this subsection does not preclude an enforcement action for failure to meet the compliance dates in subsection (b).

(d) The owner or operator of a designated facility may petition the department to establish an alternative compliance schedule for closure of the incinerator for installation of an on-site alternative waste treatment technology. The compliance schedule shall allow final compliance no later than March 31, 2002. The designated facility requesting an extension shall submit the following information to the department within eight (8) months from the effective date of this rule:

(1) Documentation of the analyses undertaken to support the need for an extension, including an explanation of why additional time is necessary. The documentation shall include an evaluation of the option to transport the waste off-site to a commercial medical waste treatment and disposal facility on a temporary or permanent basis.

(2) A detailed compliance plan including documentation of measurable and enforceable incremental steps of progress to be taken towards compliance with this rule.

(e) The department shall grant or deny the petition for extension stating reasons for granting or denying in a written response to the facility within one hundred twenty (120) days of receipt of a complete petition containing the information required in subsection (d).

(f) An owner or operator of a designated facility that follows the compliance schedule under subsection (b) or receives an extension under subsection (d) shall be in compliance with the operator training and qualification requirements of section 5(a) of this rule within one (1) year after the effective date of this rule.

*Copies of the Code of Federal Regulations (CFR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana 46204. *(Air Pollution Control Board; 326 IAC 11-6-9; filed Feb 9, 1999, 4:28 p.m.: 22 IR 1966; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

Rule 7. Municipal Waste Combustors

326 IAC 11-7-1 Applicability

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) Except as provided in subsection (b), this rule applies to each municipal waste combustor unit with a combustion capacity greater than two hundred fifty (250) tons per day of municipal solid waste for which construction was commenced on or before September 20, 1994, hereafter referred to as "designated facility".

(b) The following are exempt from this rule:

(1) Any municipal waste combustor unit that is capable of combusting more than two hundred fifty (250) tons per day of municipal solid waste and is subject to a federally enforceable permit limiting the maximum amount of municipal solid waste that may be combusted to less than or equal to eleven (11) tons per day, provided the owner or operator does the following:

(A) Notifies the department and U.S. EPA of an exemption claim and includes as a part of the notification a copy of its federally enforceable operating permit.

(B) Maintains daily records of the amount of municipal solid waste combusted.

(2) The following facilities, provided the owner or operator of the facility notifies the department and U.S. EPA of an exemption claim and provides data documenting that the facility qualifies for an exemption:

(A) A qualifying small power production facility as defined in Section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C))*, that burns homogeneous waste, such as automotive tires or used oil, but not including refuse-derived fuel, for the production of electric energy.

(B) A qualifying cogeneration facility, as defined in Section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B))*, that burns homogeneous waste, such as automotive tires or used oil, but not including refuse-derived fuel, for the production of electric energy and steam or forms of useful energy, such as heat, that are used for industrial, commercial, heating, or cooling purposes.

(C) Any unit combusting a single-item waste stream of tires.

(3) Any unit required to have a permit under Section 3005 of the Solid Waste Disposal Act (42 U.S.C. 6925)*.

(4) Any material recovery facility, including a primary or secondary smelter, that combusts waste for the primary purpose of recovering metals.

(5) Any cofired combustor with a plant capacity greater than two hundred fifty (250) tons per day of municipal solid waste, provided the owner or operator of the facility does the following:

(A) Notifies the department and U.S. EPA of an exemption claim and includes as a part of the notification a copy of its federally enforceable operating permit.

(B) Keeps records on a calendar quarter basis of the weight of the following:

(i) Municipal solid waste combusted at the cofired combustor.

(ii) All other fuels combusted at the cofired combustor.

(6) Pyrolysis/combustion units that are an integrated part of a plastics/rubber recycling unit, provided the owner or operator of the plastics/rubber recycling unit keeps the following records:

(A) The weight of plastics/rubber or rubber tires processed on a calendar quarter basis.

(B) The weight of chemical plant feedstocks and petroleum refinery feedstocks produced and marketed on a calendar quarter basis.

(C) The name and address of the purchaser of the feedstocks.

(7) Cement kilns firing municipal solid waste.

(8) The combustion of gasoline, diesel fuel, fuel oil, residual oil, refinery gas, petroleum coke, liquified petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feedstocks produced by plastics/rubber recycling units.

(c) Physical or operational changes made to an existing municipal waste unit primarily for the purpose of complying with emission limits under this rule are not considered in determining whether the unit is a modified or reconstructed facility under 40 CFR 60, Subpart Ea*, or 40 CFR 60 Eb*.

*These documents are 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 11-7-1; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1967; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Aug 26, 2004, 11:30 a.m.: 28 IR 75)*

326 IAC 11-7-2 Definitions

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 2. Terms used in this rule have the meaning that is given in the definition section of 40 CFR 60, Subpart Cb, Section 60.31b*.

*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 11-7-2; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1968; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3080)*

326 IAC 11-7-3 Emission limits
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 3. The concentration of pollutants contained in the gases discharged to the atmosphere from a designated facility shall not exceed the following limits:

Pollutant	Emission Limits
Particulate matter	23 milligrams per dry standard cubic meter (mg/dscm)[4]
Opacity	10% based on a 6-minute average
Cadmium	0.040 mg/dscm[1]
Lead	0.44 mg/dscm[1]
Mercury	0.080 mg/dscm; or 15% of the potential mercury emissions concentration[1,3]
Sulfur dioxide	29 parts per million by volume (ppmv); or 20% of the potential sulfur dioxide emission concentration[3,5]
Hydrogen chloride	29 ppmv; or 5% of the potential hydrogen chloride emissions concentration[2,3]
Organic emission (expressed as total mass dioxins/furans)	30 nanograms per dry standard cubic meter (ng/dscm) total mass[1]
Nitrogen oxides	205 ppmv[2]
Carbon monoxide[5]	100 ppmv[6] (based on a 4-hour block averaging time)

[1]Corrected to seven percent (7%) oxygen.
[2]Corrected to seven percent (7%) oxygen, dry basis.
[3]Whichever concentration is less stringent.
[4]Corrected to twelve percent (12%) carbon dioxide.
[5]Corrected to seven percent (7%) oxygen, dry basis, calculated as a 24-hour daily geometric mean.
[6]Measured at the combustor outlet in conjunction with a measurement of oxygen concentration, corrected to seven percent (7%) oxygen, dry basis, calculated as an arithmetic mean.

(Air Pollution Control Board; 326 IAC 11-7-3; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1968; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

326 IAC 11-7-4 Operating practices
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 4. The owner or operator of a designated facility shall comply with the following operating practices:
(1) 40 CFR 60, Subpart Eb, Section 60.53b(b).
(2) 40 CFR 60, Subpart Eb, Section 60.53b(c)*.
*These documents are 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 11-7-4; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1968; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3081)*

326 IAC 11-7-5 Municipal waste combustor operator training and certification requirements
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 5. The owner or operator of a designated facility shall comply with the municipal waste combustor operator training and certification requirements specified in 40 CFR 60, Subpart Eb, Section 60.54b*.

*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 11-7-5; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1968; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3081)*

326 IAC 11-7-6 Standards for municipal waste combustor fugitive ash emissions
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 6. The owner or operator of a designated facility shall meet the fugitive ash emission standards specified in 40 CFR 60, Subpart Eb, Section 60.55b*.

*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 11-7-6; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1969; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3081)*

326 IAC 11-7-7 Compliance and performance testing
Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 7. (a) The owner or operator of a designated facility shall comply with the compliance and performance testing methods and procedures specified in 40 CFR 60, Subpart Eb, Section 60.58b*, except as provided in subsections (b) through (c). All tests shall meet the requirements of 326 IAC 3-6.

(b) If all of the dioxin/furan compliance tests for all designated facilities over a two (2) year period indicate that the dioxin/furan emissions are less than or equal to fifteen (15) nanograms per dry standard cubic meter corrected to seven percent (7%) oxygen, the owner or operator of the plant may elect to conduct an annual dioxin/furan performance test for one (1) designated facility (unit) per year at the plant. At a minimum, a performance test for dioxin/furan emissions shall be conducted annually (no more than twelve (12) months following the previous performance test) for one (1) designated facility at the plant. Each year a different designated facility shall be tested. The designated facilities at the plant shall be tested in sequence, such as Unit 1 the first year, followed by Unit 2 the next year.

(c) If an annual performance test indicates an emission level for dioxin/furan greater than fifteen (15) nanograms per dry standard cubic meter corrected to seven percent (7%) oxygen, then performance tests shall be conducted annually on all designated facilities at the plant until all annual performance tests for all designated facilities at the plant over a two (2) year period indicate a dioxin and furan emission level less than or equal to fifteen (15) nanograms per dry standard cubic meter corrected to seven percent (7%) oxygen.

(d) The owner or operator of a designated facility who elects to follow the performance testing schedule specified in subsection (b) shall follow the procedures specified in 40 CFR 60, Subpart Eb, Section 60.59b(g)(4)*, for reporting the election of this schedule to the department.

*These documents are 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 11-7-7; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1969; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3081)*

326 IAC 11-7-8 Reporting and record keeping requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 8. (a) The owner or operator of a designated facility shall comply with the reporting and record keeping provisions of 40 CFR 60, Subpart Eb, Section 60.59b*.

(b) The following sitting requirements are not required under subsection (a):

(1) 40 CFR 60, Subpart Eb, Section 60.59b(a)*.

(2) 40 CFR 60, Subpart Eb, Section 60.59b(b)(5)*.

(3) 40 CFR 60, Subpart Eb, Section 60.59b(d)(11)*.

(c) All report and record keeping shall meet the requirements of 326 IAC 3 when applicable.

*These documents are 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 11-7-8; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1969; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3082)*

326 IAC 11-7-9 Compliance schedule

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 9. (a) Designated facilities shall be in compliance with this rule, except section 5 of this rule, according to one (1) of the following compliance schedules:

(1) Within one (1) year from the effective date of this rule, but not later than December 19, 2000.

(2) By December 19, 2000, provided the following:

(A) Installation of air pollution control equipment is necessary to achieve compliance.

(B) The designated facility complies with the measurable and enforceable incremental steps of progress listed as follows:

(i) Submit a final control plan to the department no later than thirty (30) days after the effective date of this rule. This date does not affect the date that a final control plan is required to be submitted to the U.S. EPA.

(ii) Award contracts for emission control systems or for process modifications, or issuance of orders for the purchase of component parts to accomplish emission control or process modifications by May 18, 1999.

(iii) Initiate on-site construction or installation of emission control equipment or process change by November 16, 1999.

(iv) Complete on-site construction or installation of emission control equipment or process change by November 19, 2000.

(C) Designated facilities that are not in compliance within one (1) year from the effective date of this rule must submit performance test results for dioxin/furan emissions that have been conducted during or after 1990.

(D) The performance test shall be conducted according to the procedures in 40 CFR 60, Subpart Cb, Section 60.38b*.

(b) All designated facilities shall be in compliance with the training and certification requirements of section 5 of this rule by September 1, 1999. The initial training requirements specified in 40 CFR 60, Subpart Eb, Section 60.54b(f)(1)* shall be completed by whichever date comes later:

(1) September 1, 1999; or

(2) the date prior to the day when the person assumes responsibilities affecting municipal waste combustor unit operation.

(c) Designated facilities not in compliance by December 19, 2000, shall cease operation.

(d) Notwithstanding the requirements of this section, the designated facility shall comply with the compliance schedule in the

federal plan until the state plan is approved by the U.S. EPA.

*These documents are 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 11-7-9; filed Jan 18, 1999, 1:20 p.m.: 22 IR 1970; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3082)*

Rule 8. Commercial and Industrial Solid Waste Incineration Units

326 IAC 11-8-1 Applicability

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) Except as provided in subsections (b) and (e) through (g), this rule applies to each commercial and industrial solid waste incineration (CISWI) unit as defined in 40 CFR 60.2875*, for which construction was commenced on or before November 30, 1999.

(b) The following are exempt from this rule:

(1) Incineration units burning ninety percent (90%) or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, or chemotherapeutic waste, or any combination of these wastes as defined in 40 CFR 60.2875*, provided the owner or operator of the incinerator does all of the following:

(A) Notifies the department and U.S. EPA that the unit meets the criteria in this subdivision.

(B) Keeps records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, chemotherapeutic waste, or any combination of these wastes burned, and the weight of all other fuels and wastes burned in the unit.

(2) Incineration units burning ninety percent (90%) or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in 40 CFR 60.2875*, provided the owner or operator of the incinerator does all of the following:

(A) Notifies the department and U.S. EPA that the unit meets the criteria in this subdivision.

(B) Keeps records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(3) Incineration units that meet either of the following criteria:

(A) Qualify as a municipal waste combustor regulated under 40 CFR 60, Subpart Cb*, Ea*, Eb*, AAAA*, or BBBB*.

(B) Burn greater than thirty percent (30%) municipal solid waste or refuse-derived fuel, as defined in 40 CFR 60, Subpart Ea*, Eb*, AAAA*, and BBBB*, and that have the capacity to burn less than thirty-five (35) tons per day of municipal solid waste or refuse-derived fuel, provided the owner or operator of the incinerator does all of the following:

(i) Notifies the department and U.S. EPA that the unit meets the criteria in clause (A) or (B).

(ii) Keeps records on a calendar quarter basis of the weight of municipal solid waste burned, and the weight of all other fuels and wastes burned in the unit.

(4) Medical waste incineration units regulated under 40 CFR 60, Subpart Ca* or Ec*.

(5) Small power production units that meet all of the following requirements:

(A) The unit qualifies as a small power-production facility under Section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C))*.

(B) The unit burns homogeneous waste, not including refuse-derived fuel, to produce electricity.

(C) The owner or operator notifies the department and U.S. EPA that the unit meets all of the requirements in clauses (A) and (B).

(6) Cogeneration units that meet all of the following requirements:

(A) The unit qualifies as a cogeneration facility under Section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B))*.

(B) The unit burns homogeneous waste, not including refuse-derived fuel, to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(C) The owner or operator notifies the department and U.S. EPA that the unit meets all of the requirements in clauses (A) and (B).

(7) Hazardous waste combustion units that meet either of the following criteria:

(A) Any combustor required to have a permit under Section 3005 of the Solid Waste Disposal Act*.

(B) Units regulated under 40 CFR 63, Subpart EEE*.

(8) Materials recovery units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

(9) Cyclonic barrel burners as defined in 40 CFR 60.2875*.

(10) Rack, part, and drum reclamation units as defined in 40 CFR 60.2875*.

(11) Cement kilns regulated under 40 CFR 63, Subpart LLL*.

(12) Sewage sludge incinerators regulated under 40 CFR 60, Subpart O*.

(13) Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The following types of units are considered chemical recovery units:

(A) Units burning only pulping liquors that are:

(i) reclaimed in a pulping liquor recovery process; and

(ii) reused in the pulping process.

(B) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(C) Units burning only wood or coal feedstock for the production of charcoal.

(D) Units burning only manufacturing byproduct streams or residues containing catalyst metals that are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(E) Units burning only coke to produce purified carbon monoxide that is used as an intermediate in the production of other chemical compounds.

(F) Units burning only hydrocarbon liquids or solids to produce:

(i) hydrogen;

(ii) carbon monoxide;

(iii) synthesis gas; or

(iv) other gases;

for the use in other manufacturing processes.

(G) Units burning only photographic film to recover silver.

(14) Laboratory analysis units that burn samples of materials for the purpose of chemical or physical analysis.

(c) The owner or operator of a unit listed in subsection (b) must submit an exemption notification not later than one (1) year from the effective date of this rule.

(d) Pathological waste exemptions submitted under 326 IAC 11-6 satisfy the conditions of subsection (b)(1).

(e) Air curtain incinerators or destructors that only burn one (1) of the following fuels are required to comply with only 40 CFR 60.2810 through 40 CFR 60.2870* and obtain approval under 326 IAC 4-1-6:

(1) One hundred percent (100%) wood waste.

(2) One hundred percent (100%) clean lumber.

(3) One hundred percent (100%) mixture of only wood waste, clean lumber, yard waste, or any combination of these wastes.

(f) If the owner or operator of a CISWI unit makes changes that meet the definition of modification or reconstruction, as defined in 40 CFR 60.2875*, on or after June 1, 2001:

(1) the CISWI unit becomes subject to 40 CFR 60, Subpart CCCC* and 326 IAC 12; and

(2) this rule no longer applies to that CISWI unit.

(g) Physical or operational changes made to an existing CISWI unit primarily to comply with emission limits under this rule:

(1) are not considered modifications or reconstructions; and

(2) do not result in an existing CISWI unit becoming subject to 40 CFR 60, Subpart CCCC*.

*These documents are incorporated by reference and may be obtained from the Government Printing Office, 732 North Capitol, 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 11-8-1; filed Aug 7, 2002, 9:47 a.m.: 25 IR 4100; filed Apr 26, 2007, 9:38 a.m.: 20070523-IR-326060412FRA)*

326 IAC 11-8-2 Requirements; 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. 2. (a) The air pollution control board incorporates by reference the following sections of 40 CFR 60, Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or before November 30, 1999:

(1) 40 CFR 60.2575 through 40 CFR 60.2615 Increments of Progress*.
(2) 40 CFR 60.2620 through 40 CFR 60.2630 Waste Management Plan*.
(3) 40 CFR 60.2635 through 40 CFR 60.2665 Operator Training and Qualification*.
(4) 40 CFR 60.2670 through 40 CFR 60.2685 Emission Limitations and Operating Limits*.
(5) 40 CFR 60.2690 through 40 CFR 60.2695 Performance Testing*.
(6) 40 CFR 60.2700 through 40 CFR 60.2705 Initial Compliance Requirements*.
(7) 40 CFR 60.2710 through 40 CFR 60.2725 Continuous Compliance Requirements*.
(8) 40 CFR 60.2730 through 40 CFR 60.2735 Monitoring*.
(9) 40 CFR 60.2740 through 40 CFR 60.2800 Record Keeping and Reporting*.
(10) 40 CFR 60.2805 Title V Operating Permits*.
(11) 40 CFR 60.2810 through 40 CFR 60.2870 Air Curtain Incinerators*.
(12) 40 CFR 60.2875 Definitions*.
(13) 40 CFR 60, Subpart DDDD, Tables 1 through 5*.

(b) For the purposes of this rule, these terms used in 40 CFR 60.2575 through 40 CFR 60.2875* are defined as follows:

(1) "Administrator" means the commissioner of the department of environmental management.
(2) "You" means the owner or operator of a CISWI unit.

(c) An owner or operator subject to section 1(a) of this rule must comply with this rule not later than one (1) year from the effective date of this rule unless the owner or operator:

(1) submits a final control plan not later than one (1) year from the effective date of this rule; or
(2) requests and is granted an extension of the closure date under subsection (e).

(d) If the owner or operator submits a final control plan, the compliance dates for the increments of progress in 40 CFR 60, Subpart DDDD, Table 1* are as follows:

(1) The compliance date for Increment 1–Submit Final Control Plan shall be one (1) year from the effective date of this rule.
(2) The compliance date for Increment 2– Final Compliance shall be September 1, 2005.

(e) An owner or operator may request an extension of the closure date to achieve compliance as expeditiously as possible, but not later than September 1, 2005, by submitting a closure notification pursuant to 40 CFR 60.2615* and 40 CFR 60.2855* as follows:

(1) The request for extension shall include all of the following supporting documentation:
    (A) Analysis that supports the need for the requested extension.
    (B) Explanation of why a closure date of one (1) year after the effective date does not provide sufficient time to shut down.
    (C) Explanation of why the requested closure date provides sufficient time to shut down.
(2) The request for extension shall be submitted to the department within eight (8) months from the effective date of this rule, and the department shall grant or deny the extension in a written response to the owner or operator within three (3) months of receipt of a closure notification that contains all required information.
(3) An owner or operator shutting down the incinerator shall submit a waste management plan, as defined in 40 CFR 60.2620 through 40 CFR 60.2630, not later than one (1) year after the effective date of this rule.

*These documents are incorporated by reference and may be obtained from the Government Printing Office, 732 North Capitol, 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 11-8-2; filed Aug 7, 2002, 9:47 a.m.: 25 IR 4101; filed Apr 26, 2007, 9:38 a.m.: 20070523-IR-326060412FRA)*

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