



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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Eric J. Holcomb  
Governor

Bruno L. Pigott  
Commissioner

April 25, 2019

Ms. Cathy Stepp  
Regional Administrator  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3950

Re: Limited Maintenance Plan Updates for the  
Evansville (Vanderburgh and Warrick  
Counties), Fort Wayne (Allen County),  
Greene County, Jackson County, Muncie  
(Delaware County), and Terre Haute  
(Vigo County), Indiana 1997 8-Hour  
Ozone Areas

Dear Ms. Stepp:

The Indiana Department of Environmental Management (IDEM) submits the Limited Maintenance Plan Updates for the Evansville, Fort Wayne, Greene County, Jackson County, Muncie, and Terre Haute, Indiana 1997 8-hour ozone areas. The submittals demonstrate that these areas have remained well below the 1997 8-hour Ozone National Ambient Air Quality Standard (NAAQS) and should remain designated as attainment under the standard.

Effective June 15, 2004, United States Environmental Protection Agency (U.S. EPA) designated these areas nonattainment under Subpart 1 of the 1997 8-hour ozone NAAQS. The Evansville, Fort Wayne, Greene County, Jackson County, Muncie, and Terre Haute, Indiana areas were redesignated to attainment effective January 30, 2006, February 12, 2007, December 29, 2005, December 29, 2005, January 3, 2006, and February 6, 2006, respectively. As part of the redesignation actions, Indiana adopted and U.S. EPA approved maintenance plans for these areas which demonstrated continued attainment of the standard at least ten years after redesignation, as required under Section 175A of the Clean Air Act (CAA).

Under Section 175A(b) of the CAA, states must submit a revision to the first maintenance plan eight years after redesignation to provide for maintenance of the NAAQS for an additional ten years following the end of the first ten-year period. These submittals satisfy that commitment.

Throughout the development of the submittals, IDEM staff worked with U.S. EPA Region 5 to ensure that any potential concerns regarding these submissions were addressed.

IDEM provided a separate 30-day public comment period and opportunity for public hearing for each submittal. IDEM did not receive any public hearing requests or comments. Please refer to the enclosures for further information and dates regarding the public participation process documentation for the submittals.

This request consists of one (1) hardcopy of the required documentation. An electronic version of the submittals in PDF format identical to the hard copies have been sent to Doug Aburano, Chief of U.S. EPA Region 5's Attainment Planning and Maintenance Section and Chris Panos of U.S. Region 5.

IDEM requests that U.S. EPA proceed with review and approval of these submittals. If you have any questions or need additional information, please contact Brian Callahan, Chief, Air Quality Standards and Implementation Section, Office of Air Quality at (317) 232-8244 or [bcallaha@idem.IN.gov](mailto:bcallaha@idem.IN.gov).

Sincerely,



Keith Baugues  
Assistant Commissioner  
Office of Air Quality

KB/sad/bc/gf/lf/mb

Enclosures 1 - 6:

Limited Maintenance Plan Updates for the Evansville, Fort Wayne, Greene County, Jackson County, Muncie, and Terre Haute, Indiana 1997 8-Hour Ozone Areas/Public Participation Process Documentation

cc: Doug Aburano U.S. EPA Region 5 (no enclosures)  
Chris Panos, U.S. EPA Region 5 (no enclosures)  
Michael Leslie, U.S. EPA Region 5 (no enclosures)  
Kathleen D'Agostino, U.S. EPA Region 5 (no enclosures)  
Keith Baugues, IDEM-OAQ (no enclosures)  
Scott Deloney, IDEM-OAQ (no enclosures)  
Brian Callahan, IDEM-OAQ (no enclosures)  
Gale Ferris, IDEM-OAQ (w/ enclosures)  
Leslie Ferguson, IDEM-OAQ (w/ enclosures)  
Michele Boner, IDEM-OAQ (w/ enclosures)  
File Copy

LIMITED MAINTENANCE PLAN  
UPDATE FOR THE MUNCIE, INDIANA  
1997 8-HOUR OZONE AREA

**Delaware County, Indiana**

Prepared By:

The Indiana Department of  
Environmental Management

April 2019

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## **Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area (Delaware County)**

### **Background**

On July 18, 1997 (62 FR 38856), United States Environmental Protection Agency (U.S. EPA) promulgated an 8-hour National Ambient Air Quality Standard (NAAQS) of 0.08 parts per million (ppm). The standard is attained when the three-year average of the annual fourth-highest daily maximum eight-hour average ozone concentrations measured at each monitor within an area is less than or equal to 0.08 ppm, when rounded. On April 30, 2004 (69 FR 23857), U.S. EPA published a final rule designating and classifying areas under the 8-hour ozone NAAQS. These designations and classifications became effective June 15, 2004. U.S. EPA designated as nonattainment any area that was violating the 8-hour ozone NAAQS based on the three most recent years of air quality data, 2001-2003.

The Clean Air Act (CAA) contains two sets of provisions, subpart 1 and subpart 2, that address planning and control requirements for nonattainment areas. (Both are found in Title I, part D, of the CAA; 42 U.S.C. 7501-7509a and 7511-7511f, respectively.) Subpart 1 contains general requirements for nonattainment areas for any pollutant, including ozone, governed by a NAAQS. Subpart 2 provides more specific requirements for ozone nonattainment areas.

Under U.S. EPA's implementation rule for the 1997 8-hour ozone standard, (April 30, 2004, 69 FR 23951), an area was classified under subpart 2 based on its 8-hour ozone design value (i.e. the three-year average annual fourth-highest daily maximum 8-hour average ozone concentration) if it had a 1-hour design value at the time of designation at or above 0.121 ppm (the lowest 1-hour design value in Table 1 of subpart 2) (69 FR 23954). All other areas were covered under subpart 1, based upon their 8-hour design values (69 FR 23958).

Effective June 15, 2004, U.S. EPA designated the Muncie, Indiana area (Delaware County) nonattainment area under Subpart 1 of the 1997 8-hour ozone NAAQS. The area was redesignated on November 9, 2005, effective January 3, 2006 (70 FR 69443). As part of the redesignation action, Indiana adopted and U.S. EPA approved a maintenance plan for the Muncie, Indiana area which demonstrated continued attainment of the 1997 8-hour ozone standard at least ten years after redesignation, as required under CAA section 175A.

Under CAA section 175A(b), states must submit a revision to the first maintenance plan eight years after redesignation to provide for maintenance of the NAAQS for ten additional years following the end of the first 10-year period. U.S. EPA's final implementation rule for the 2008 ozone NAAQS revoked the 1997 ozone NAAQS and stated that one consequence of revocation was that areas that had been redesignated to attainment (i.e., maintenance areas) for the 1997 standard no longer needed to submit second 10-year maintenance plans under CAA section 175A(b). In South Coast

Air Quality Management District v. U.S. EPA, the D.C. Circuit vacated U.S. EPA's interpretation that, because of the revocation of the 1997 ozone standard, second maintenance plans were not required for "orphan maintenance areas," i.e., areas that had been redesignated to attainment for the 1997 NAAQS (maintenance areas) and were designated attainment for the 2008 ozone NAAQS. South Coast, 882 F.3d 1138 (D.C. Cir. 2018). Thus, states with these "orphan maintenance areas" under the 1997 ozone NAAQS must submit maintenance plans for the second maintenance period.

## **Second Maintenance Plan**

The Muncie, Indiana area was redesignated to attainment effective January 3, 2006. Therefore, in accordance with CAA section 175A(b), a second maintenance plan, demonstrating maintenance through January 3, 2026, was due on January 3, 2014.

A September 4, 1992, memorandum from John Calcagni<sup>1</sup> provides guidance on the content of a maintenance plan. U.S. EPA clarified in three subsequent guidance memos that certain nonattainment areas could meet the CAA section 175A requirement to provide for maintenance by demonstrating that the area's design value<sup>2</sup> was well below the NAAQS and that the historical stability of the area's air quality levels showed that the area was unlikely to violate the NAAQS in the future.<sup>3</sup> U.S. EPA refers to this streamlined demonstration of maintenance as a Limited Maintenance Plan (LMP). U.S. EPA has interpreted CAA section 175A as permitting this option because section 175A of the Act defines few specific content requirements for maintenance plans, and in U.S. EPA's experience implementing the various NAAQS, areas that qualify for an LMP and have approved LMPs have rarely, if ever, experienced subsequent violations of the NAAQS. As noted in the LMP guidance memoranda, states seeking an LMP must still submit the other maintenance plan elements outlined in the Calcagni memo, including: an attainment emissions inventory, provisions for the continued operation of the ambient air quality monitoring network, verification of continued attainment, and a contingency plan in the event of a future violation of the NAAQS. Moreover, states seeking an LMP must still submit their section 175A maintenance plan as a revision to their state implementation plan (SIP), with all attendant notice and comment procedures.

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<sup>1</sup> "Procedures for Processing Requests to Redesignate Areas to Attainment," Memorandum from John Calcagni, Director, Air Quality Management Division, September 4, 1992.

<sup>2</sup> The ozone design value for a monitoring site is the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentrations. The design value for an ozone nonattainment area is the highest design value of any monitoring site in the area.

<sup>3</sup> See "Limited Maintenance Plan Option for Nonclassifiable Ozone Nonattainment Areas" from Sally L. Shaver, Office of Air Quality Planning and Standards (OAQPS), dated November 16, 1994; "Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas" from Joseph Paisie, OAQPS, dated October 6, 1995; and "Limited Maintenance Plan Option for Moderate PM<sub>10</sub> Nonattainment Areas" from Lydia Wegman, OAQPS, dated August 9, 2001. Copies of these guidance memoranda can be found in the docket for this proposed rulemaking.



While the LMP guidance memoranda were originally written with respect to certain NAAQS,<sup>4</sup> U.S. EPA has extended the LMP interpretation of section 175A to other NAAQS and pollutants not specifically covered by the previous guidance memos.<sup>5</sup>

### *Attainment Inventory*

Because the Muncie, Indiana area continued to monitor attainment of the 1997 ozone NAAQS in 2014, this is also an appropriate year to use for an attainment year inventory. As such, Indiana is using 2014 summer day emissions from U.S. EPA 2014 version 7.0 modeling platform as the basis for the attainment inventory presented in Table 1 below. These data are based on the most recently available National Emissions Inventory (2014 NEI version 2). The inventory documentation for this platform can be found here: <https://www.epa.gov/air-emissions-modeling/2014-version-70-platform>.

**Table 1**  
**2014 Typical Summer Day Volatile Organic Compound (VOC) and Nitrogen Oxide (NO<sub>x</sub>) Emissions for the Muncie, Indiana Area (tons per day)**

Source Category	VOC Emissions	NO <sub>x</sub> Emissions
Nonpoint	5.21	1.56
Nonroad	1.26	1.62
Onroad	3.48	8.32
Point	0.02	0.36

### *Maintenance Demonstration*

The LMP is considered to be satisfied if the air quality in the area is well below the level of the standard, that past air quality trends have been shown to be stable, and that the probability of the area experiencing a violation over the second 10-year maintenance period is low.<sup>6</sup>

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<sup>4</sup> The prior memos addressed: unclassifiable areas under the 1-hour ozone NAAQS, nonattainment areas for the PM<sub>10</sub> (particulate matter with an aerodynamic diameter less than 10 microns) NAAQS, and nonattainment areas for the carbon monoxide NAAQS.

<sup>5</sup> See, e.g., 79 FR 41900 (July 18, 2014) (Approval of second ten-year LMP for Grant County 1971 SO<sub>2</sub> maintenance area).

<sup>6</sup> "Limited Maintenance Plan Option for Nonclassifiable Ozone Nonattainment Areas" from Sally L. Shaver, Office of Air Quality Planning and Standards (OAQPS), dated November 16, 1994; "Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas" from Joseph Paisie, OAQPS, dated October 6, 1995; and "Limited Maintenance Plan Option for Moderate PM<sub>10</sub> Nonattainment Areas" from Lydia Wegman, OAQPS, dated August 9, 2001.

To attain the 1997 8-hour ozone NAAQS, the three-year average of the fourth-highest daily maximum 8-hour average ozone concentrations (the design value) at each monitor within an area must not exceed 0.08 ppm. Based on the rounding convention described in 40 Code of Federal Regulations (CFR) part 50, Appendix I, the standard is attained if the design value is 0.084 ppm or below. Consistent with prior guidance, U.S. EPA believes that if the most recent air quality design value for the area is at a level that is well below the NAAQS (e.g., below 85% of the standard, or in this case below 0.071 ppm), then U.S. EPA considers the state to have met the section 175A requirement for a demonstration that the area will maintain the NAAQS for the requisite period. Such a demonstration assumes continued applicability of Prevention of Significant Deterioration requirements, any control measures already in the SIP, and Federal measures will remain in place through the end of the second 10-year maintenance period, absent a showing consistent with section 110(l) that such measures are not necessary to assure maintenance.

Table 2 presents the design values for each monitor in the Muncie, Indiana area over the 2006 - 2018 period. As shown in Table 2 and presented in Chart 1, all sites have been at or well below the level of the 1997 ozone NAAQS since the area was redesignated to attainment. The most current design value, 2016 - 2018, is below the level of 85% of the NAAQS, consistent with prior LMP guidance.

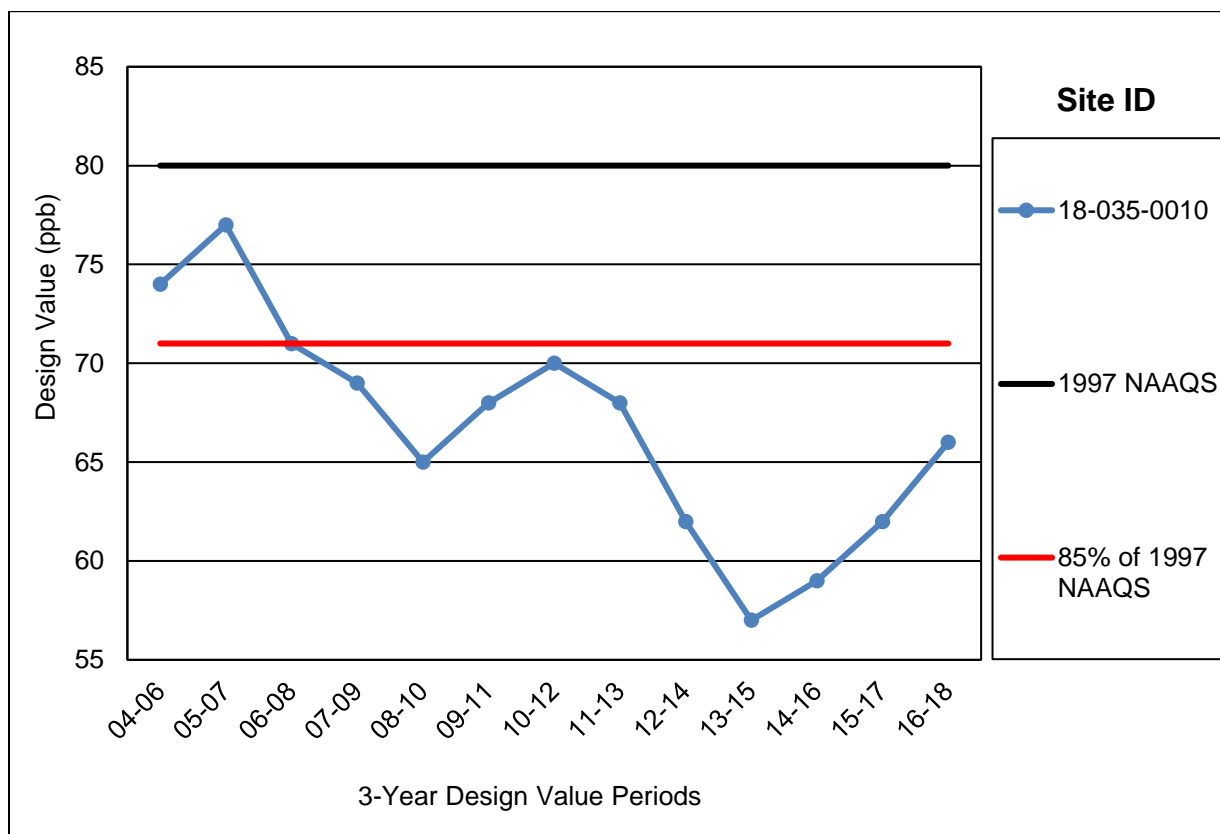
**Table 2**  
**1997 8-Hour Ozone NAAQS Design Values (ppb) at Monitoring Sites in the Muncie, Indiana Area for the 2006-2018 Time Period<sup>7</sup>**

County	AQS Site ID	04 - 06	05 - 07	06 - 08	07 - 09	08 - 10	09 - 11	10 - 12	11 - 13	12 - 14	13 - 15	14 - 16	15 - 17	16 - 18
Delaware	18-035-0010	74	77	71	69	65	68	70	68	62	57	59	62	66

<sup>7</sup>Data source: The U.S. EPA's LMP Resource website, <https://www.epa.gov/ground-level-ozone-pollution/1997-ozone-national-ambient-air-quality-standards-naaqs-nonattainment>, within the link named: 1997\_Ozone\_NAAQS\_Air\_Quality\_Monitoring\_and\_Modeling\_Data and Indiana's IDEM monitoring website, <https://www.in.gov/idem/airquality/2489.htm>, within link named: Ozone\_(O3)\_Summary\_Table [XLS]



**Chart 1**  
**1997 8-Hour Ozone NAAQS Design Values (ppb) at Monitoring Sites in the**  
**Muncie, Indiana Area for the 2006-2018 Time Period**



Therefore, the Muncie, Indiana area is eligible for the LMP option, and the long record of monitored ozone concentrations that attain the standard, together with the continuation of existing VOC and NO<sub>x</sub> emissions control programs, adequately provide for the maintenance of the 1997 ozone NAAQS in the Muncie, Indiana area through the second 10-year maintenance period and beyond.

The Muncie, Indiana area has maintained air quality well below the 1997 ozone NAAQS over the past thirteen years. Additionally, the design value data shown within Table 2 illustrates that ozone levels have been relatively stable over this timeframe, with a modest downward trend. For example, the data within Table 2 indicate that the largest, year-over-year, change in design value was 6 parts per billion (ppb) and occurred between the 2005 - 2007 DV through the 2006 - 2008 DV and the 2011 - 2013 through the 2012 - 2014 DV. This represented 8 and 9 percent decreases, respectively. Furthermore, the overall trend in design values for the Muncie, Indiana area between the 2004 - 2006 DV and the 2016 - 2018 DV shows an 11 percent decrease. This downward trend in ozone levels, coupled with the relatively small, year-over-year variation in ozone design values, makes it reasonable to conclude that the Muncie, Indiana area will not exceed the 1997 8-hour ozone NAAQS during the second 10-year maintenance period.

Additional supporting information that the area is expected to continue to maintain the standard can be found in projections of future year design values that U.S. EPA recently completed to assist states with development of interstate transport SIPs for the 2015 ozone NAAQS. Those projections, made for the year 2023, show that the highest design value of any monitor in the Muncie, Indiana area is expected to be 54.4 ppb.

#### *Continued Air Quality Monitoring*

Indiana commits to continue to operate an approved ozone monitoring network in the Muncie, Indiana area. Indiana commits to consult with U.S. EPA prior to making changes to the existing monitoring network should changes become necessary in the future. Indiana remains obligated to meet monitoring requirements and continue to quality assure monitoring data in accordance with 40 CFR part 58, and to enter all data into the Air Quality System (AQS) in accordance with Federal guidelines.

#### *Verification of Continued Attainment*

Indiana has the legal authority to enforce and implement the requirements of the maintenance plan for the Muncie, Indiana area. This includes the authority to adopt, implement, and enforce any subsequent emission control measures determined to be necessary to correct future ozone attainment problems.

Verification of continued attainment is accomplished through operation of the ambient ozone monitoring network and the periodic update of the area's emissions inventory. Indiana will continue to operate an approved ozone monitoring network in the Muncie, Indiana area. There are no plans to discontinue operation, relocate, or otherwise change the existing ozone monitoring network other than through revisions in the network approved by U.S. EPA.

In addition, to track future levels of emissions, Indiana will continue to develop and submit to U.S. EPA updated emission inventories for all source categories at least once every three years, consistent with the requirements of 40 CFR part 51, subpart A, and in 40 CFR 51.122. The Consolidated Emissions Reporting Rule (CERR) was promulgated by U.S. EPA on June 10, 2002 (67 FR 39602). The CERR was replaced by the Annual Emissions Reporting Requirements (AERR) on December 17, 2008 (73 FR 76539). Indiana has an Emission Reporting Rule, 326 Indiana Administrative Code (IAC) 2-6, requiring certain sources, based on potential-to-emit emissions and location, to report emissions annually or once every three years.

#### *Contingency Plan*

Indiana hereby commits to adopt and implement expeditiously necessary corrective actions in the following circumstances:

## Warning Level Response

A Warning Level Response shall be prompted whenever an annual (1-year) fourth high monitored value of 0.089 ppm occurs in a single ozone season, or a two (2)-year average fourth high monitored value of 0.085 ppm or greater occurs within the maintenance area. A Warning Level Response will consist of a study to determine whether the ozone value indicates a trend toward higher ozone values or whether emissions appear to be increasing. The study will evaluate whether the trend, if any, is likely to continue and, if so, the control measures necessary to reverse the trend taking into consideration ease and timing for implementation, as well as economic and social considerations. The study, including the applicable recommended next steps, shall be completed within 12 months from the close of the most recent ozone season.

Should it be determined through the Warning Level study that action is necessary to reverse the noted trend, the procedures for control selection and implementation outlined under "Action Level Response" shall be followed.

## Action Level Response

An Action Level Response shall be prompted whenever a three (3)-year average fourth high monitored value of 85 ppb or greater occurs within the maintenance area. In the event that the Action Level is triggered and is not due to an exceptional event, malfunction, or noncompliance with a permit condition or rule requirement, IDEM will determine additional control measures needed to assure future attainment of NAAQS for ozone. In this case, measures that can be implemented in a short time will be selected in order to be in place within eighteen (18) months from the close of the ozone season that prompted the Action Level.

## Control Measure Selection and Implementation

Adoption of any additional control measures is subject to the necessary administrative and legal process. This process will include publication of notices, an opportunity for public hearing, and other measures required by Indiana law for rulemaking by state environmental boards.

If a new measure/control is already promulgated and scheduled to be implemented at the federal or state level, and that measure/control is determined to be sufficient to address the upward trend in air quality, additional local measures may be unnecessary. IDEM will submit to U.S. EPA an analysis to demonstrate the proposed measures are adequate to return the area to attainment.

## Contingency Measures

Contingency measures to be considered will be selected from a comprehensive list of measures deemed appropriate and effective at the time the selection is made. Listed below are example measures that may be considered. The selection of measures will

be based upon cost-effectiveness, emission reduction potential, economic and social considerations or other factors that IDEM deems appropriate. IDEM will solicit input from all interested and affected persons in the maintenance area prior to selecting appropriate contingency measures. All of the listed contingency measures are potentially effective or proven methods of obtaining significant reductions of ozone precursor emissions. Because it is not possible at this time to determine what control measure will be appropriate at an unspecified time in the future, the list of contingency measures outlined below is not comprehensive. Indiana anticipates that only a few of these measures will be required.

- 1) Lower-reid vapor pressure gasoline program.
- 2) Broader geographic applicability of existing measures.
- 3) Tighten reasonably available control technology (RACT) on existing sources covered by U.S. EPA Control Technique Guidelines issued in response to the 1990 Clean Air Act Amendments.
- 4) Apply RACT to smaller existing sources.
- 5) A modern vehicle inspection/maintenance program.
- 6) One or more transportation control measures sufficient to achieve at least 0.5% reduction in actual area wide VOC emissions. Transportation measures will be selected from the following, based upon the factors listed above after consultation with affected local governments:
  - a) Trip reduction programs, including, but not limited to, employer-based transportation management plans, area wide rideshare programs, work schedule changes, and telecommuting.
  - b) Transit improvements.
  - c) Traffic flow improvements.
  - d) Other new or innovative transportation measures not yet in widespread use that affects state and local governments deemed appropriate.
- 7) Alternative fuel and diesel retrofit programs for fleet vehicle operations.
- 8) Controls on consumer products consistent with those adopted elsewhere in the United States.
- 9) Require VOC or NOx emission offsets for new and modified major sources.
- 10) Require VOC or NOx emission offsets for new and modified minor sources.

11) Increase the ratio of emission offsets required for new sources.

12) Require VOC or NO<sub>x</sub> controls on new minor sources (less than 100 tons).

No contingency measure shall be implemented without providing the opportunity for full public participation during which the relative costs and benefits of individual measures, at the time they are under consideration, can be fully evaluated.

### **Transportation Conformity**

Transportation conformity is required by section 176(c) of the CAA. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS (CAA 176(c)(1)(B)). U.S. EPA's conformity rule at 40 CFR part 93 requires that transportation plans, programs and projects conform to SIPs and establish the criteria and procedures for determining whether they conform. The conformity rule generally requires a demonstration that emissions from the Regional Transportation Plan (RTP) and the Transportation Improvement Program (TIP) are consistent with the motor vehicle emissions budget (MVEB) contained in the control strategy SIP revision or maintenance plan (40 CFR 93.101, 93.118, and 93.124). A MVEB is defined as "that portion of the total allowable emissions defined in the submitted or approved control strategy implementation plan revision or maintenance plan for a certain date for the purpose of meeting reasonable further progress milestones or demonstrating attainment or maintenance of the NAAQS, for any criteria pollutant or its precursors, allocated to highway and transit vehicle use and emissions (40 CFR 93.101).

Under the conformity rule, LMP areas may demonstrate conformity without a regional emission analysis (40 CFR 93.109(e)). All actions that would require transportation conformity determinations for the Muncie, Indiana ozone maintenance area under U.S. EPA's transportation conformity rule provisions are considered to have already satisfied the regional emissions analysis and "budget test" requirements in 40 CFR 93.

However, because LMP areas are still maintenance areas, certain aspects of transportation conformity determinations still will be required for transportation plans, programs and projects. Specifically, for such determinations, RTPs, TIPs and transportation projects still will have to demonstrate that they are fiscally constrained (40 CFR 93.108), meet the criteria for consultation (40 CFR 93.105) and Transportation Control Measure (TCM) implementation in the conformity rule provisions (40 CFR 93.112 and 40 CFR 93.113, respectively). Additionally, conformity determinations for RTPs and TIPs must be determined no less frequently than every four years, and conformity of plan and TIP amendments and transportation projects is demonstrated in accordance with the timing requirements specified in 40 CFR 93.104. In addition, in order for projects to be approved they must come from a currently conforming RTP and TIP (40 CFR 93.114 and 93.115).

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# **PUBLIC PARTICIPATION DOCUMENTATION**

Limited Maintenance Plan Update for the Muncie,  
Indiana 1997 8-Hour Ozone Area

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## **LEGAL NOTICE OF PUBLIC HEARING**

### **Draft Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area**

#### **Delaware County, Indiana**

**Note: Legal notices for public hearings are no longer published in newspapers, but can be found on the Indiana Department of Environmental Management's web site at:**  
<https://www.in.gov/idem/5474.htm>

Notice is hereby given under 40 Code of Federal Regulations (CFR) 51.102 that the Indiana Department of Environmental Management (IDEM) is accepting written comment and providing an opportunity for a public hearing regarding the *Draft Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area* comprised of Delaware County, Indiana. All interested persons are invited and will be given reasonable opportunity to express their views concerning this Draft Limited Maintenance Plan Update.

Effective June 15, 2004, United States Environmental Protection Agency (U.S. EPA) designated the Muncie, IN area, as a nonattainment area under the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Muncie area was redesignated to attainment on November 9, 2005, effective January 3, 2006 (70 FR 69443). As part of the redesignation action, Indiana adopted and U.S. EPA approved a maintenance plan for the Muncie area which demonstrated continued attainment of the 1997 8-hour ozone standard at least ten years after redesignation.

Under Section 175A(b) of the Clean Air Act, states must submit a revision to the first maintenance plan eight years after redesignation to provide for maintenance of the NAAQS for an additional ten years following the end of the first ten-year period (i.e. January 3, 2026).

Copies of the Draft Limited Maintenance Plan Update will be available on or before March 13, 2019 to any person upon request at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate Avenue., Room N1003, Indianapolis, Indiana 46204
- Maring-Hunt Public Library, 2005 S. High St., Muncie, Indiana 47302

The draft documents will also be available on the following web pages:

<https://www.in.gov/idem/airquality/2440.htm>  
<https://www.in.gov/idem/airquality/2392.htm>

Any person may submit written comments on the *Draft Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area*. Written comments should be directed to: Ms. Leslie Ferguson, Indiana Department of Environmental Management, Office of Air Quality, Room 1003, 100 North Senate Avenue, Indianapolis, IN 46204. Comments can also be submitted via fax (317) 233-5967 or email at [lferguso@idem.IN.gov](mailto:lferguso@idem.IN.gov). Comments must be submitted by April 12, 2019. Interested parties may also present oral or written comments at the public hearing, if held. Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

A public hearing on the *Draft Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area* will be held if a request is received by April 12, 2019. If a hearing is requested, the hearing will be held on April 17, 2019, and the comment period will be extended to April 24, 2019. The hearing will convene at 6:00 p.m. local time at the Maring-Hunt Public Library, 2005 S. High St., Muncie, Indiana 47302. If a request for a public hearing is not received by April 12, 2019, the hearing will be cancelled. Interested parties can check the online IDEM calendar at <http://calendar.in.gov/site/idem> or contact Ms. Leslie Ferguson at (317) 233-1179, after April 12, 2019, to see if the hearing has been cancelled or will convene.

If a hearing is held, a transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

For additional information contact Ms. Leslie Ferguson, at the Indiana Department of Environmental Management, Office of Air Quality, Room N1003, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, IN 46204 or call (317) 233-1179 or (800) 451-6027 ext. 3-1179 (in Indiana).

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*Speech and hearing impaired callers may contact the agency via the Indiana Relay Service at 1-800-743-3333. Individuals requiring reasonable accommodations for participation in this hearing should contact the IDEM Americans with Disabilities Act (ADA) coordinator at: Attn: ADA Coordinator, Indiana Department of Environmental Management – Mail Code 50-10, 100 North Senate Avenue, Indianapolis, IN 46204-2251, or call (317) 233-1785 (voice) or (317) 233-6565 (TDD). Please provide a minimum of 72 hours notification.*



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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**Eric J. Holcomb**  
Governor

**Bruno L. Pigott**  
Commissioner

March 6, 2019

### CERTIFICATE OF PUBLICATION

This is to certify that the Indiana Department of Environmental Management (IDEM) Notice of the opportunity for a Public Hearing regarding the following:

- Draft Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area

was published on IDEM's web site on March 6, 2019. It is expected that it will remain posted on the site until at least April 12, 2019.

The notice in full was available online at the following web address, under "Eastern":

<http://www.in.gov/idem/5474.htm>

The draft document was also posted online March 5, 2019 at the following web address:

<https://www.in.gov/idem/airquality/2440.htm>

Web publication of the notice was at the request of Scott Deloney, Branch Chief, Programs Branch, Office of Air Quality, IDEM.

By:

Mike Finklestein  
IDEM Webmaster

Attachments:

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e-Services

Media Relations

Funding

Maps

IDEM Nonrule Policies

Publications

Rules

Social Links

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YouTube

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KB Specialty Foods

[Permit Public Notice \(PDF\)](#)

02/19/2019 - 03/06/2019

No

Project Manager: Kate Garvey

Applicant Company: Kroger Company d/b/a KB Specialty Foods

Permit Number: IN LA 000874

Delaware

Draft Limited Maintenance Plan Update for the Muncie, Indiana 1997 8-Hour Ozone Area

[Legal Notice and Opportunity for Public Hearing \(PDF\)](#)

03/13/2019 - 04/12/2019

Yes

Project Manager: Leslie Ferguson

Additional information is available on the [IDEM Air Quality in Indiana: Redesignations and Maintenance Plans, 8-Hour Ozone](#) page.

Muncie Sanitary District

Muncie Precision Heat

Muncie Water Pollution Facility

R & L Trucking Terminals

Franklin

Henry

Date and Time

Date and Time

Additional Clocks

Date: Wednesday, March 06, 2019

Time: 10:35:56 AM

Change date and time...

Time zone (UTC-05:00) Eastern Time (US & Canada)

Change time zone...

Daylight Saving Time begins on Sunday, March 10, 2019 at 2:00 AM. The clock is set to go forward 1 hour at that time.

☒ Notify me when the clock changes

[Get more time zone information online](#)

[How do I set the clock and time zone?](#)

OK Cancel Apply

https://www.in.gov/indem/files/notice-20190322\_hwa\_ind984868117.pdf

10:35 AM 3/6/2019