APPENDIX D

Public Participation Documentation

LEGAL NOTICE OF PUBLIC HEARING
Redesignation Petition and Maintenance Plan
in association with the 8 hour ozone standard,
for St. Joseph/Elkhart Counties.

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on Thursday, April 27, 2006. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Elkhart County. The meeting will convene at 6:00 p.m. (local time) in the St. Joseph County Public Library, Humphreys Room, 304 South Main Street, South Bend, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (USEPA) guidance.

Copies of the draft documents will be available on or before March 28, 2006 to any person upon request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate, Room N1003, Indianapolis, Indiana.
- St. Joseph County Public Library, 304 South Main Street, South Bend, Indiana.
- Elkhart Public Library, 300 South Second Street, Elkhart, Indiana
- Goshen Public Library, 601 South 5th Street, Goshen, Indiana
- Mishawaka-Penn-Harris Public Library, 209 Lincoln Way East, Mishawaka, Indiana
- Northern Regional Office, 220 West Colfax Avenue, Suite 200, South Bend, Indiana

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.

IDEM will also accept written comments through Wednesday, May 3, 2006. Mailed comments should be addressed to:
St. Joseph/Elkhart Counties Redesignation Petition and Maintenance Plan
Kathryn Watson, Chief
Air Programs Branch, Office of Air Quality – Mail Code 61-50
100 North Senate Avenue
Indiana Department of Environmental Management
Indianapolis, IN 46206-2251

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 Mr. Laurence Brown, at the Indiana Department of Environmental Management, Office of Air Quality, Room 1001, Indiana Government Center North, 100 North Senate Avenue, Indianapolis or call (317) 234-3097 or (800) 451-6027 ext. 4-3097 (in Indiana).

Kathryn Watson, Chief
Air Programs Branch
Office of Air Quality

*********************************************************
**
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) 232-6565 (TDD). Please provide a minimum of 72 hours notification.

SUMMARY OF PUBLIC HEARING COMMENTS AND RESPONSES
Legend:
- Public Comment
  - IDEM Response

Kyle Hannon, Greater Elkhart Chamber of Commerce
- The Greater Elkhart Chamber of Commerce supports the redesignation petition.
  - IDEM appreciates the support.
- The area has met the ozone and PM2.5 standards at the same time that production in increasing in the county.
  - IDEM agrees.
- Companies are paying attention and controls are working.
  - IDEM agrees.

Terry Miller, St. Joseph County Chamber of Commerce
- The St. Joseph County Chamber of Commerce supports the redesignation petition.
  - IDEM appreciates the support.
- We are all aware that ozone transporting into the county needs to be addressed.
  - Regional rules such as the NOₓ SIP Call trading program and the Clean Air Interstate Rule for NOₓ and SO₂ will continue to address regional transport of ozone.
- As the full impact of regulations go into affect in Chicago and Illinois, it will keep the area in compliance.
  - IDEM agrees that the emissions of ozone precursors shall be reduced as noted in the previous response (above) and also from the turnover of cars and trucks due to more strict regulations on tailpipe emissions for newer vehicles.

WRITTEN COMMENTS:

Letter (April 27, 2006) from Philip E. Penn, The Greater Elkhart Chamber of Commerce
- We strongly support the change from nonattainment status for the area.
  - IDEM appreciates the support.
- The summer was hot and factory production increased and the ozone average fell below 85 ppb as a result of area companies’ hard work and cooperation with IDEM. The Chamber’s Environmental Council meets monthly and includes discussions on pollution prevention ideas. An annual Environmental Conference exposes environmental managers to the latest pollution prevention information. Area companies contribute and support Ozone Action Days. Local efforts and diesel regulations have helped.
- IDEM agrees and appreciates the support and cooperation.

END OF COMMENTS
<table>
<thead>
<tr>
<th>NAME</th>
<th>ORGANIZATION/ COMPANY</th>
<th>PHONE NUMBER</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sue Love</td>
<td>South Bend Tribune</td>
<td>574-235-6551</td>
<td>153 Lincoln Way West Mishawaka, IN 46544</td>
</tr>
<tr>
<td>Terry Miller</td>
<td>St. Joseph Co. Chamber</td>
<td>574-234-0051</td>
<td>PO Box 1677 South Bend, IN 46639</td>
</tr>
<tr>
<td>Edward Stefanik</td>
<td>Weyer Bros. Consultants</td>
<td>574-233-1836</td>
<td>6030 East Benson, Suite 1, South Bend, IN 46628</td>
</tr>
<tr>
<td>Kyle Harmon</td>
<td>Greater Elkhart Chamber</td>
<td>574-265-1534</td>
<td>PO Box 428 Elkhart, IN 46515</td>
</tr>
<tr>
<td>Michelle Austin</td>
<td>Rabk. Wul. frightening</td>
<td>574-848-7651</td>
<td>1 U. Bay #481 3rd St. IN 46507</td>
</tr>
</tbody>
</table>

Revised 5/16/97 kv
IND DEPT OF ENVIRONMENTAL MGMT
MARION COUNTY, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter - (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set). Number of equivalent lines

Head - Number of lines

Body - Number of lines

Tail - Number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

126.0 lines 1.0 columns equals 126.0 equivalent lines at .374 cents per line

Additional charge for notices containing rule and figure work (50 per cent of above amount)

Charges for extra proofs of publication ($1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

ATA FOR COMPUTING COST

Width of single column 7.82 ems

Size of type 5.2 point

Number of insertions 1.0

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

DATE: 03/28/2006

81956-4265005

PUBLISHER'S AFFIDAVIT

State of Indiana SS:
MARION County
Personally appeared before me, a notary public in and for said county and state, the undersigned Karen Mullins who, being duly sworn, says that SHE is clerk of the INDIANAPOLIS NEWSPAPERS a DAILY STAR newspaper of general circulation printed and published in the English language in the city of INDIANAPOLIS in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), between the dates of:

03/28/2006 and 03/28/2006

Subscribed and sworn to before me on 03/28/2006

Notary Public, State of Indiana My Commission Exp. 05/03/2011

STATE PRESCRIBED FORMULA

7.83 PICA COLUMN - 94 POINT
94 POINTS / 57 PT. TYPE - 16.49
16.49 EMS / 250 - .06596 SQUARES
.06596 SQUARES x $.14 - .339 CENTS PER LINE

RATE PER LINE:

PUBLISHED 1 TIME = .339
PUBLISHED 2 TIMES = .509
PUBLISHED 3 TIMES = .679
PUBLISHED 4 TIMES = .848
Indianapolis Star & News
307 North Pennsylvania
PO Box 145
Indianapolis, Indiana 46204

Indianapolis Star & News
307 North Pennsylvania
PO Box 145
Indianapolis, Indiana 46204

Phone: 317-444-4000
Fax: 317-444-8806

ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning 8 Hour Ozone Redesignation Petition and Maintenance Plan for St. Joseph/Elkhart Counties.

Please print ONE TIME, on or before March 28, 2006, in order for us to satisfy our statutory requirements.

Please send a notarized form no. 99p and/or publisher’s claim, together with the clipping, showing the date of publication and your Federal ID number to:

MAIL TO:
Attn: Sandra Robinson, Room N1001
Indiana Department of Environmental Management
Air Programs Branch, Office of Air Quality
Mail Code 61-50
Indianapolis, Indiana 46206-2251

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

[Signed]
Sandra Robinson
Air Programs Branch
Office of Air Quality

Enclosures
TO: ACCOUNTING
IGCN - Room 1345

FROM: KAROL T. CHUMA
IGCN - 1001
RULES SECTION
OFFICE OF AIR QUALITY

DATE: 4-12-06

Note: Please send a copy of the paid publication to Indianapolis Star News

The attached invoice for publication of public notice is approved for payment.

ACCOUNT # 3610/140900
PUBLISHER'S CLAIM

Display Matter (Must not exceed two actual lines, neither of which shall total more
than four solid lines of the type in which the body of the advertisement is set)

LEGAL NOTICE OF PUBLIC HEARING
Redesignation Petition and Maintenance Plan
In association with the 8 hour ozone standard,
for St. Joseph/Elkhart Counties.

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental
Management (IDEM) will hold a public hearing on Thursday, April 27, 2006. The purpose of this
hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in
association with the 8 hour ozone standard, for St. Joseph/Elkhart County. The meeting will con-
vene at 6:00 p.m. (road time) in the St. Joseph County Public Library, Humphreys Room, 304
South Main Street, South Bend, Indiana. All interested persons are invited and will be given op-
portunity to express their views concerning the draft documents.

This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent
with United States Environmental Protection Agency (USEPA) guidance.

Copies of the draft documents will be available on or before March 28, 2006 to any person upon
request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana
  Government Center North, 100 North Senate, Room 1D00, Indianapolis, Indiana;
- St. Joseph County Public Library, 304 South Main Street, South Bend, Indiana;
- Elkhart Public Library, 300 South Second Street, Elkhart, Indiana;
- Goshen Public Library, 601 South 5th Street, Goshen, Indiana;
- Mishawaka-Penn-Harris Public Library, 209 Lincoln Way East, Mishawaka, Indiana;
- Northern Regional Office, 220 West Colfax Avenue, Suite 200, South Bend, Indiana.

Oral statements will be heard, but for the accuracy of the record, statements should be sub-
mitted in writing. Written statements may be submitted to the attendant designated to receive written
comments at the public hearing.

IDEM will also accept written comments through Wednesday, May 3, 2006. Mailed comments
should be addressed to:

St. Joseph/Elkhart Counties Redesignation Petition and Maintenance Plan
Kathryn Watson, Chief
Air Programs Branch, Office of Air Quality - Mail Code 61-50
120 North Senate Avenue
Indianapolis, IN 46206-2251

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 pay-
ment 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 Mr. Laurence Brown, at the Indiana Department of Environ-
mental Management, Office of Air Quality, Room 1001, Indiana Government Center North, 100
North Senate Avenue, Indianapolis or call (317) 234-5078 or (800) 451-6027 ext. 4-5078 (in Indi-
ana).

Kathryn Watson, Chief
Air Programs Branch
Office of Air Quality

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
120 North Senate Avenue
Indianapolis, IN 46204-2251

Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours
notification.

March 28, 2006

ER'S AFFIDAVIT

ERICA J. COUNTY

affirmed before me, a notary public in and for said county and state, the undersigned
sworn, says that The Goshen News, a daily newspaper of general circulation,
listed in the English language in the city of Goshen in state and county aforesaid,
ated matter attached hereto is a true copy, which was duly published in said paper
for the time, the dates of publication being as follows:

March 28, 2006

Subscribed and sworn to before me this 28th day of March 2006

[Signature]

Goshen News
P O Box 569
Goshen, Indiana 46527

Date: March 23, 2006

Phone: 574-533-2151
Fax: 574-533-0839

ATTENTION:  PUBLIC NOTICES - LEGAL ADVERTISING SECTION

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning 8 Hour Ozone Redesignation Petition and Maintenance Plan for St. Joseph/Elkhart Counties.

Please print ONE TIME, on or before March 28, 2006, in order for us to satisfy our statutory requirements.

Please send a notarized form no. 99p and/or publisher's claim, together with the clipping, showing the date of publication and your Federal ID number to:

MAIL TO:
Attn: Sandra Robinson, Room N1001
Indiana Department of Environmental Management
Air Programs Branch, Office of Air Quality
Mail Code 61-50
Indianapolis, Indiana 46206-2251

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

Sandra Robinson
Air Programs Branch
Office of Air Quality

Enclosures
TO: ACCOUNTING
IGCN - Room 1345

FROM: KAROL T. CHUMA
IGCN - 1001
RULES SECTION
OFFICE OF AIR QUALITY

DATE: 4-12-06

Note: Please send a copy of the paid publication to Goshen News

The attached invoice for publication of public notice is approved for payment.

ACCOUNT # 3610/140900
LEGAL NOTICE OF PUBLIC HEARING

Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Elkhat Counties.

Notice is hereby given under 40 CFR 51.112 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on Thursday, April 27, 2006.

The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Elkhart County. The meeting will convene at 6:00 p.m. (local time) in the St. Joseph County Public Library, Hamptons Room, 304 South Main Street, South Bend, Indiana. All interested persons are invited and will be given an opportunity to express their views concerning the draft documents.

This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (USEPA) regulations.

Copies of the draft documents will be available on or before March 28, 2006 to any person upon payment and at the following locations:

- Indiana Department of Environmental Management
  Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana
- St. Joseph County Public Library, 304 South Main Street, South Bend, Indiana
- Elkart Public Library, 300 South Main Street, Elkart, Indiana
- Goshen Public Library, 600 South 5th Street, Goshen, Indiana
- South Bend Regional Library, 209 Lincoln Street, South Bend, Indiana
- St. Joseph/Ellkhart Counties Redesignation Petition and Maintenance Plan
  Kathryn Watson, Chief
  Air Programs Branch, Office of Air Quality
  Mail Code 61-50
  100 North Senate Avenue
  Indiana Department of Environmental Management
  Indianapolis, IN 46206-2251

A transcript of the hearing and all written submissiosn 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 Mr. Laurence Brown, at the Indiana Department of Environmental Management, Office of Air Quality Room 1001, Indiana Government Center North, 100 North Senate Avenue, Indianapolis or call (317)234-3097 or (800)451-5027 ext. 4-3097 (in Indiana).

Kathryn Watson, Chief
Air Programs Branch
Office of Air Quality

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 46206-2251

Or call (317)234-1785 (voice) or (317)232-6565 (TDD).
Please provide a minimum of 72 hours notice.

March 28

PUBLISHER’S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

Head - number of lines

95

Body - number of lines

95

Tail - number of lines

95

Total number of lines in notice

95

COMPUTATION OF CHARGES

95 lines, 3 columns wide equals 95 equivalent lines at $.582 per line

Additional charge for notices containing tabular work (50% of above amount)

Charge for extra proofs of publication (1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

$55.29

$55.29

DATA FOR COMPUTING COST

Width of single column 6.325 EM

Size of type 6 point

Number of insertions / 1

Pursuant to the provisions and penalties of Ch. 155, Act 1953, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: ____________ 2006

Mark T. Wolf
Title: Classified/Call Center Manager

PUBLISHER'S AFFIDAVIT

State of Indiana Elkhart County ss

Personally appeared before me, a notary public in and for said county and state, the undersigned Mark T. Wolf who, being duly sworn, says that he is the Classified/Call Center Manager of Truth a daily newspaper of general circulation printed and published in the English language in the city of Elkhart in state and county aforesaid and that the printed matter attached hereto is a true copy, which was duly published in said paper for _______ time(s), the dates of publication, being as follows:

March 28, 2006

Subscribed and sworn to before me this ______ day of ______ 2006

Notary Public

EUGenia M. DARLING
NOTARY PUBLIC STATE OF INDIANA
ELKHART COUNTY
MY COMMISSION EXPIRED MAY 24, 2009

My commission expires _______ NOTARY PUBLIC STATE OF INDIANA
ELKHART COUNTY

March 28
ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning 8 Hour Ozone Redesignation Petition and Maintenance Plan for St. Joseph/Elkhart Counties.

Please print ONE TIME, on or before March 28, 2006, in order for us to satisfy our statutory requirements.

Please send a notarized form no. 99p and/or publisher's claim, together with the clipping, showing the date of publication and your Federal ID number to:

MAIL TO:
Attn: Sandra Robinson, Room N1001
Indiana Department of Environmental Management
Air Programs Branch, Office of Air Quality
Mail Code 61-50
Indianapolis, Indiana 46206-2251

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

[Signature]
Sandra Robinson
Air Programs Branch
Office of Air Quality

Enclosures
TO: ACCOUNTING  
IGCN - Room 1345

FROM: KAROL T. CHUMA  
IGCN - 1001  
RULES SECTION  
OFFICE OF AIR QUALITY

DATE: 4-12-06

Note: Please send a copy of the paid publication to The Truth located in Elkhart, Indiana. The attached invoice for publication of public notice is approved for payment.

ACCOUNT # 3610/140900

H:\Forms-1\Legal Notice - Payment Form.wpd
LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)

<table>
<thead>
<tr>
<th>Number of Equivalent Lines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head — number of lines</td>
</tr>
<tr>
<td>Body — number of lines</td>
</tr>
<tr>
<td>Tail — number of lines</td>
</tr>
<tr>
<td>Total number of lines in notice</td>
</tr>
</tbody>
</table>

COMPUTATION OF CHARGES

<table>
<thead>
<tr>
<th>Charge for extra proofs of publication (81.00 for each proof in excess of two)</th>
</tr>
</thead>
<tbody>
<tr>
<td>65 lines, 11 gms columns wide equal 130 equivalent lines at .307 cents per line $ 39.91</td>
</tr>
<tr>
<td>Additional charge for notices containing rule or tabular work (50 cents per cent of above amount)</td>
</tr>
</tbody>
</table>

LEGAL NOTICE OF PUBLIC HEARING

Redesignation of Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Ellkhart Counties

Notice is hereby given under 40 CPR 51:102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on Thursday, April 27, 2006. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Ellkhart County. The meeting will convene at 8:00 P.M. (local time) in the St. Joseph County Public Library, Humphreys Room, 104 South Main Street, South Bend, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents. This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (USEPA) guidance.

Charge for extra proofs of publication (81.00 for each proof in excess of two) $ 39.91

UNIQUE OF CLAIM

<table>
<thead>
<tr>
<th>Charge for extra proofs of publication (81.00 for each proof in excess of two)</th>
</tr>
</thead>
<tbody>
<tr>
<td>65 lines, 11 gms columns wide equal 130 equivalent lines at .307 cents per line $ 39.91</td>
</tr>
<tr>
<td>Additional charge for notices containing rule or tabular work (50 cents per cent of above amount)</td>
</tr>
</tbody>
</table>

PUBLISHER'S AFFIDAVIT

State of Indiana SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Carol Smith who, being duly sworn, says that he is Advertising Director of the South Bend Tribune, a Daily & Sunday newspaper of general circulation printed and published in the English language in the (city) of South Bend in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for the time, the dates of publication being as follows:

March 26, 2005

Subscribed and sworn to before me this 26th day of March 2006

Geraldine Dickey
Notary Public
Resident of St. Joseph County

My commission expires January 28, 2009
Date: March 23, 2006

South Bend Tribune
225 West Colfax Avenue
South Bend, Indiana 46626

Phone: 574-235-6216
Fax: 574-232-1880

ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning 8 Hour Ozone Redesignation Petition and Maintenance Plan for St. Joseph/Elkhart Counties.

Please print ONE TIME, on or before March 28, 2006, in order for us to satisfy our statutory requirements.

Please send a notarized form no. 99p and/or publisher’s claim, together with the clipping, showing the date of publication and your Federal ID number to:

MAIL TO:
Attn: Sandra Robinson, Room N1001
Indiana Department of Environmental Management
Air Programs Branch, Office of Air Quality
Mail Code 61-50
Indianapolis, Indiana 46206-2251

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

Sandra Robinson
Air Programs Branch
Office of Air Quality

Enclosures
TO: ACCOUNTING
IGCN - Room 1345

FROM: KAROL T. CHUMA
IGCN - 1001
RULES SECTION
OFFICE OF AIR QUALITY

DATE: 4-12-06

Note: Please send a copy of the paid publication to South Bend Tribune

The attached invoice for publication of public notice is approved for payment.

ACCOUNT # 3610/140900
BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

---

PUBLIC HEARING REGARDING
THE DRAFT REDESIGNATION PETITION
AND MAINTENANCE PLAN
IN ASSOCIATION WITH THE 8 HOUR
OZONE STANDARD FOR ST. JOSEPH AND
ELKHART COUNTIES IN INDIANA

---

COPY

PROCEEDINGS

in the above-captioned matter, before Hearing
Officer Laurence Brown, taken before me,
Lindy L. Meyer, Jr., a Notary Public in and for
the State of Indiana, County of Shelby, at the
St. Joseph County Public Library, Humphreys
Multimedia Room, 304 South Main Street,
South Bend, Indiana, on Thursday, April 27,
2006 at 6:05 o'clock p.m.

---

William F. Daniels, RPR/CP CM d/b/a
ACCURATE REPORTING OF INDIANA
12922 Brighton Avenue
Carmel, Indiana 46032
(317) 848-0088
THE HEARING OFFICER: Okay. It is 6:10. This is a public hearing to accept comments concerning the draft Redesignation Petition and Maintenance Plan in association with the eight-hour ozone standard for St. Joseph and Elkhart Counties in Indiana. This hearing is being held to conform to the provisions in 40 CFR Part 51 regarding public hearings for state implementation plan submittals.

My name is Lawrence Brown. I am an environmental manager in the Planning and Policy Section of the Indiana Department of Environmental Management's Office of Air Quality. I have been appointed to act as Hearing Officer for this public hearing. Also in attendance from IDEM is Sandra Robinson.

Notice of the time and place of the hearing was given as provided by law by publication in the following newspapers: The Indianapolis Star, the Goshen News, the
South Bend Tribune, the Elkhart Truth.

The purpose of this public hearing is to provide interested persons an opportunity to offer comments to the state regarding the draft Redesignation Petition and Maintenance Plan for St. Joseph and Elkhart Counties.

Appearance forms have been distributed in the hearing room for all those desiring to be shown appearing on record in this cause. If you have not already filled out the form, please do so, and indicate if you are appearing for yourself or on behalf of a group or organization, and identify such group or organization. Also note the capacity in which you appear, such as attorney, officer or authorized spokesperson.

Any person who is heard or represented at this hearing or who requests notice may be given written notice of the final action taken on this State Implementation Plan submittal. Please indicate on the appearance card if you wish to receive this notification. When appearance cards have been completed, they
APPEARANCES:
ON BEHALF OF IDEM:
   Sandra Robinson

SPEAKERS PRESENT:
   Kyle Hannon
   Terry Miller

OTHERS PRESENT:
   Michele Curtis
   Sue Lowe
should be handed to me, and I will include them with the official record of this proceeding.

Oral statements will be heard, but written statements may be handed to me, or mailed or faxed to the Office of Air Quality, and must be received before close of business on Wednesday, May 3rd, 2006. A written transaction of this hearing is being made. The transcript will be open for public inspection and a copy of the transcript will be made available to any person upon payment of the copying costs.

After the conclusion of this public hearing, I will prepare a written report summarizing the comments received at this hearing and recommending changes which may need to be made to this document.

I would like to introduce the following documents into the record: The notice of public hearing, which Sandra has; the draft Redesignation Petition and Maintenance Plan for St. Joseph and Elkhart Counties, also found on the table.
Finally, I would like to briefly go over the contents of the draft document.

In 1997, the United States Environmental Protection Agency established a new more stringent standard for ozone, referred to as the eight-hour ozone standard. The standard itself was established at .08 parts per million measured over an eight-hour period.

Within the Guidelines on Data Handling Conventions for the Eight-Hour Ozone National Ambient Air Quality Standards, published by the U.S. Environmental Protection Agency in December of 1998, U.S. EPA established parts per million and three significant figures as the basis for computation of eight-hour concentrations.

In accordance with this guideline, three significant digits are used to determine an area's design value and for conducting attainment tests. Specifically, because the third decimal digit is rounded, .084 parts per million is the largest concentration that is less than or equal to the standard of .08 parts
per million. Therefore, an ozone concentration equal to or greater than .085 parts per million is considered to be above or in violation of the standard.

Legal challenges to the new standard for ozone resulted in delayed implementation of the standard until February 2001, when the Supreme Court ruled that the U.S. EPA could proceed with implementation of the new standard, providing that the U.S. EPA's implementation is consistent with the Clean Air Act.

The U.S. EPA's first action in implementing the new standard for ozone was to designate areas throughout the country as attainment, nonattainment, and unclassifiable. St. Joseph and Elkhart Counties were designated nonattainment under the eight-hour ozone standard on April 15th, 2004. This designation was based on monitored design values of .093 parts per million at the Fire Station Ozone Monitor located in Granger in St. Joseph County.
Is that how you pronounce it?

MS. CURTIS: Yes.

THE HEARING OFFICER: Okay.

Design values are an average of the annual fourth highest ozone values monitored at each of these monitoring sites for the years 2001 through 2003. At the conclusion of the 2005 ozone season, the monitors located in St. Joseph and Elkhart Counties measured air quality that meets the ambient air quality standard for ozone.

The most recent design values for the area are .083 parts per million at the Fire Station Ozone Monitor located in Granger in St. Joseph County, and also at the Bristol Elementary School located in Bristol in Elkhart County. These design values are an average of the annual fourth highest ozone values monitored at each of these monitoring sites for the years 2003 through 2005.

These design values represent ozone concentrations that are below the national ambient air quality standard, thus the area is
eligible to be redesignated to attainment under
the eight-hour ozone standard and classified as
maintenance.

The Indiana Department of Environmental
Management has prepared the draft Redesignation
Petition and Maintenance Plan for St. Joseph
and Elkhart Counties in accordance with the
U.S. EPA guidance. The draft petition outlines
a demonstration that the area has attained the
standard based on monitored concentrations, and
that the reductions in monitored concentrations
are attributable to permanent and enforceable
reductions in precursor emissions, specifically
reductions of both volatile organic compounds,
also known as VOC's, and oxides of nitrogen,
commonly described as NOX.

Furthermore, the draft maintenance plan
outlines the following:

One, precursor emissions of volatile
organic compounds and oxides of nitrogens will
continue to decline in the future.

Two, the -- due to existing and future
emission controls, the area's air quality is
not projected to worsen, and should improve further over time.

Three, a commitment for all existing emission controls to remain in place.

Four, a commitment to revise the plan within eight years of redesignation.

Five, a commitment to adopt and expeditiously implement necessary corrective actions if a warning or action level response is prompted.

A warning level response is prompted whenever an annual fourth high monitored value of .089 parts per million occurs in a single ozone season, or a two-year average fourth high monitored value of .085 parts per million or greater occurs within the maintenance area.

An action level response is prompted whenever a violation of the standard -- that's the three-year fourth high monitored value of .085 parts per million or greater -- occurs.

And six, a mobile source emissions budget for the transportation -- for transportation conformity purposes.
This concludes my comments regarding the draft redesignation petition and maintenance plan for St. Joseph and Elkhart Counties. This hearing is now open for public comment. Please step to the microphone and state your name if you have comments. Are there any public comments?

MR. HANNON: I'm Kyle Hannon, from the Greater Elkhart Chamber of Commerce, and I rise in support of the redesignation petition. You've done a great job. I just -- I think it's notable that we met the ozone standard, and also earlier we met the particulate matter standard, and this is happening at the same time that production is increasing in our county.

So, I think our companies are paying attention to emissions, and I think that emission controls are working, and I hope that we can be redesignated and move on from there. We don't need that label of nonattainment anymore, and it's time to shed that label and move forward.
Thank you.

THE HEARING OFFICER: Thank you.

MR. MILLER: My name is Terry Miller, and I'm Director of Public Policy for the St. Joe County Chamber of Commerce, and I also rise in support of the redesignation. We were active, more active at the point of the designation a couple of years ago.

And, of course, all of us have been very aware of the fact that, as you indicate on your -- in your draft on the modeling, that the -- there are significant impacted ozones transporting into the counties from primarily west of here, and that that is a significant fact that needs to be addressed.

At the time, we were supporting a substantial compliance, or there was some effort to suggest that there be a designation less than a noncompliance, and that seemed to make sense considering that the transport was a significant impact here, and I'm glad to see that that is pointed out in this report, and certainly as the full impact of all of the
regulations go into effect all over the -- from Chicago and Illinois, that it will impact us going forward and keep us in compliance.

Thank you.

THE HEARING OFFICER: Thank you.

MR. HANNON: Is that it?

THE HEARING OFFICER: In the absence of any further comments, these proceedings are hereby concluded. This hearing is adjourned.

Thereupon, the proceedings of April 27, 2006 were concluded at 6:19 o'clock p.m.
CERTIFICATE

I, Lindy L. Meyer, Jr., the undersigned Court Reporter and Notary Public residing in the City of Shelbyville, Shelby County, Indiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me on Thursday, April 27, 2006 in this matter and transcribed by me.

Lindy L. Meyer Jr.

Lindy L. Meyer, Jr., Notary Public in and for the State of Indiana.

My Commission expires October 27, 2008.
Actions
(1) 30:16
Active
(2) 12:7
Addressed
(1) 32:15
Adjourned
(1) 33:10
Adopt
(2) 20:7
Agency
(2) 6:4,32
Age
(2) 12:8
Air
Ambient
(3) 6:11 8:10,23
Annual
(2) 9:18 10:12
Appear
(1) 4:15
Appearance
(2) 9:7,21,23
APPEARANCES
(1) 3:1
Appearing
(2) 9:9,11
Appointed
(3) 3:17
April
(6) 9:16 31 7:19 13:12 14:7
Area
(4) 8:13,23 9:9 10:16
Areas
(1) 7:7
Association
(2) 3:16
Attained
(1) 9:9
Attainment
(3) 6:20 7:16 9:1
Attendance
(3) 9:18
Attention
(1) 11:18
Attorney
(1) 4:15
Attributable
(1) 9:12
Authorized
(2) 4:14
Available
(1) 5:13
Avenue
(1) 1:22
Average
(3) 8:4,17 10:14
Aware
(1) 12:10

B
Based
(2) 7:20 9:10
Basis
(1) 6:15
Behalf
(2) 2:12 4:12
Below
(1) 8:22
Bend
(2) 1:16 4:1
Briefly
(1) 6:1
Brighton
(1) 11:2
Bristol
(2) 8:12 14:6
Brown
(2) 1:11 3:13
Budget
(1) 12:25
Business
(1) 5:16
Capacity
(1) 4:14
Card
(1) 30:16
Cards
(1) 4:23
Carmel
(1) 3:13
Certainly
(1) 12:23
CERTIFICATE
(3) 14:1
Certify
(1) 14:5
CFP
(1) 3:10
Challenges
(1) 7:5
Chamber
(2) 14:8 12:5
Changes
(1) 5:16
Chicago
(4) 12:8
City
(1) 14:4
Clasified
(1) 9:2
Clean
(1) 7:11
Close
(1) 9:15
CM
(2) 1:21
Comment
(1) 11:19
Comments
(7) 3:5 4:4 5:15 11:1,6,7 13:10
Commerce
(2) 11:19 12:5
Commission
(2) 14:13
Committee
(1) 10:13
Common
(1) 9:16
Companies
(1) 13:17
Completed
(1) 4:23
Compliance
(2) 12:17 13:3
Compounds
(2) 9:14,20
Computation
(1) 6:17
Concentration
(2) 6:22 7:1
Concentrations
(4) 6:16 8:22 9:10-31
Concerning
(1) 11:5
Concluded
(2) 13:9,12
Concludes
(1) 11:1
Conclusion
(2) 14:13
Conducting
(1) 6:19
Conform
(1) 2:9
Conformity
(1) 10:23
Considered
(1) 7:3
Considering
(1) 12:20
Consistent
(1) 7:11
Contents
(1) 6:2
Continue
(1) 9:21
Controls
(3) 9:23 10:4 11:19
Conventions
(1) 6:10
Copy
(1) 5:20
Coping
(1) 5:12
Correct
(1) 14:6
Corrective
(1) 10:8
Costs
(1) 5:12
Counties
11:16 12:13
Country
(1) 7:25
County
(8) 1:13-14 7:23 8:15,17 11:16
13:14 16:4
Couple
(1) 12:8
Course
(1) 12:9
Court
(2) 7:8 14:3
Curtis
(2) 2:8 8:2

D
D/b/a
(1) 1:21
Dabri
(1) 1:21
Data
(1) 6:9
December
(1) 6:13
Decimal
(1) 6:32
Decline
(1) 9:21
Delayed
(1) 9:21
Demonstration
(1) 9:2
Department
(1) 12:6
Described
(1) 9:16
Design
(4) 6:15 7:20 8:4,12,17,21
Designate
(1) 7:25
Designated
(1) 7:25
Designation
(3) 7:19 12:8,18
Desiring
(1) 4:8
Determine
(1) 6:18
Digit
(1) 6;21
Digits
(1) 6:18
Director
(1) 13:6
Distributed
(1) 4:21
Document
(2) 5:17 6:2
Documents
(1) 5:19
Done
(1) 13:11
Draft
Due
(1) 9:22

E
Effect
(1) 13:11
Effort
(1) 13:18
Eight
(5) 6:8,18 7:18 8:2 30:6
Eight-hour
(7) 5:7 6:9,10,15 7:18 9:12
Elementary
(1) 8:16
Eligible
(1) 9:3
Elkhart
(12) 1:6 3:8 4:16 6:22 7:17 8:19,20 10:1,2
11:18
Emission
(3) 9:23 10:4 11:19
Emissions
(4) 11:29 12:10 11:28
Enforceable
<table>
<thead>
<tr>
<th>S</th>
<th>S</th>
<th>S</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sandra</td>
<td>School</td>
<td>Season</td>
<td>Show</td>
</tr>
<tr>
<td>(3) 2:12 3:19 5:20</td>
<td>(1) 8:16</td>
<td>(2) 8:10</td>
<td>10:14</td>
</tr>
<tr>
<td>(1) 12:21</td>
<td>(1) 12:15</td>
<td>See</td>
<td></td>
</tr>
<tr>
<td>(1) 12:15</td>
<td>(1) 13:03</td>
<td>(1) 12:21</td>
<td></td>
</tr>
<tr>
<td>(1) 12:21</td>
<td>(1) 12:21</td>
<td>Shelby</td>
<td></td>
</tr>
<tr>
<td>(1) 14:6</td>
<td>(1) 14:6</td>
<td>Shelbyville</td>
<td></td>
</tr>
<tr>
<td>(1) 14:6</td>
<td>(1) 14:6</td>
<td>Shown</td>
<td></td>
</tr>
<tr>
<td>(1) 8:16</td>
<td>(1) 8:16</td>
<td>Single</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>Sites</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>Sites</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>Six</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>Source</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>South</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>South</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>SPEAKERS</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>SPEAKERS</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>SPEAKERS</td>
<td></td>
</tr>
<tr>
<td>(1) 10:23</td>
<td>(1) 10:23</td>
<td>SPEAKERS</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>T</th>
<th>T</th>
<th>T</th>
<th>T</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table</td>
<td>Terry</td>
<td>Tests</td>
<td>Therefore</td>
</tr>
<tr>
<td>(1) 7:14</td>
<td>(2) 7:15</td>
<td>(2) 7:15</td>
<td>(1) 7:11</td>
</tr>
<tr>
<td>(1) 7:14</td>
<td>(2) 7:15</td>
<td>(2) 7:15</td>
<td>(1) 7:11</td>
</tr>
<tr>
<td>(1) 7:14</td>
<td>(2) 7:15</td>
<td>(2) 7:15</td>
<td>(1) 7:11</td>
</tr>
<tr>
<td>(1) 7:14</td>
<td>(2) 7:15</td>
<td>(2) 7:15</td>
<td>(1) 7:11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>U</th>
<th>U</th>
<th>U</th>
<th>U</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S.</td>
<td>Under</td>
<td>Undersigned</td>
<td>United</td>
</tr>
<tr>
<td>(6) 6:12-13 7:8,10,13 9:8</td>
<td>(2) 7:11</td>
<td>(1) 14:2</td>
<td>(1) 6:3</td>
</tr>
<tr>
<td>(6) 6:12-13 7:8,10,13 9:8</td>
<td>(2) 7:11</td>
<td>(1) 14:2</td>
<td>(1) 6:3</td>
</tr>
<tr>
<td>(6) 6:12-13 7:8,10,13 9:8</td>
<td>(2) 7:11</td>
<td>(1) 14:2</td>
<td>(1) 6:3</td>
</tr>
<tr>
<td>(6) 6:12-13 7:8,10,13 9:8</td>
<td>(2) 7:11</td>
<td>(1) 14:2</td>
<td>(1) 6:3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>V</th>
<th>V</th>
<th>V</th>
<th>V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>Values</td>
<td>Violation</td>
<td>VOC's</td>
</tr>
<tr>
<td>(4) 6:19 10:12,15,19</td>
<td>(7) 7:20 8:4-5,12,17-18,21</td>
<td>(2) 7:10 10:18</td>
<td>(1) 9:15</td>
</tr>
<tr>
<td>(4) 6:19 10:12,15,19</td>
<td>(7) 7:20 8:4-5,12,17-18,21</td>
<td>(2) 7:10 10:18</td>
<td>(1) 9:15</td>
</tr>
<tr>
<td>(4) 6:19 10:12,15,19</td>
<td>(7) 7:20 8:4-5,12,17-18,21</td>
<td>(2) 7:10 10:18</td>
<td>(1) 9:15</td>
</tr>
<tr>
<td>(4) 6:19 10:12,15,19</td>
<td>(7) 7:20 8:4-5,12,17-18,21</td>
<td>(2) 7:10 10:18</td>
<td>(1) 9:15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>W</th>
<th>W</th>
<th>W</th>
<th>W</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warning</td>
<td>Wednesday</td>
<td>West</td>
<td>William</td>
</tr>
<tr>
<td>(2) 10:9,11</td>
<td>(1) 5:7</td>
<td>(1) 12:14</td>
<td>(1) 1:21</td>
</tr>
<tr>
<td>(2) 10:9,11</td>
<td>(1) 5:7</td>
<td>(1) 12:14</td>
<td>(1) 1:21</td>
</tr>
<tr>
<td>(2) 10:9,11</td>
<td>(1) 5:7</td>
<td>(1) 12:14</td>
<td>(1) 1:21</td>
</tr>
<tr>
<td>(2) 10:9,11</td>
<td>(1) 5:7</td>
<td>(1) 12:14</td>
<td>(1) 1:21</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Y</th>
<th>Y</th>
<th>Y</th>
<th>Y</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>Years</td>
<td>Yourself</td>
<td>Year</td>
</tr>
<tr>
<td>(2) 10:14,19</td>
<td>(6) 8:16,20 10:16 12:8</td>
<td>(2) 10:14,19</td>
<td>(2) 10:14,19</td>
</tr>
<tr>
<td>(2) 10:14,19</td>
<td>(6) 8:16,20 10:16 12:8</td>
<td>(2) 10:14,19</td>
<td>(2) 10:14,19</td>
</tr>
<tr>
<td>(2) 10:14,19</td>
<td>(6) 8:16,20 10:16 12:8</td>
<td>(2) 10:14,19</td>
<td>(2) 10:14,19</td>
</tr>
<tr>
<td>(2) 10:14,19</td>
<td>(6) 8:16,20 10:16 12:8</td>
<td>(2) 10:14,19</td>
<td>(2) 10:14,19</td>
</tr>
</tbody>
</table>