Overview
This rulemaking addresses a request to allow industry sources in Clark, Floyd, Lake and Porter counties to voluntarily use an alternative inspection method to demonstrate compliance with 326 IAC 8-9 concerning volatile organic liquids (VOL) storage tanks that are primarily used to store petroleum products. This rule also clarifies language, addresses inconsistencies, and updates references.

Affected Persons
This rulemaking affects owners and operators of large storage vessels containing VOL in Clark, Floyd, Lake or Porter counties. The rule provides for an option for each affected source to use the alternative inspection method.

Reasons for the Rule
The rulemaking is only applicable to those sources in Clark, Floyd, Lake or Porter counties because these areas were previously designated as a nonattainment area for ozone by the United States Environmental Protection Agency (U.S. EPA). To reduce the potential for future violations of the ozone standard, federal law mandates that these requirements must remain in the state rules. If a tank is in use when it is time for an inspection, the tank must be emptied, degassed, inspected, and then refilled. This replacement is not only costly to sources because of the downtime and raw materials spent on this process, but it also actually increases VOC emissions, and, therefore, potential ozone formation, each time the tank is emptied, degassed, and refilled. This rulemaking would provide affected sources the flexibility to comply with the inspection requirements using alternative inspection methods to inspect while the tank is still in use, rather than emptying it for the purpose of inspection.

Economic Impact of the Rule
The economic impact of this rulemaking is very low because, although there could be additional rigging on the tank to safely inspect while the tank is still being used, there is an offset savings because the downtime and material costs of emptying and degassing the tank, the waste of product, and the additional cost of filling the tank again after inspection will be saved. Additionally, U.S. EPA has recognized that this alternate inspection method will create fewer emissions to the environment.

Scheduled Board Action and Hearings
First Public Hearing: January 10, 2018, Indiana Government Center South, 10 N. Senate Avenue, Indianapolis, Indiana 46204.
IDEM Contact
Additional information regarding this rulemaking action can be obtained from Jack Harmon, Rules Development Branch, Office of Legal Counsel, (317) 234-9535, (800) 451-6027 (in Indiana), or jaharmon@idem.in.gov.