Overview
IDEM has developed draft rule language for 327 IAC 1-1-2, concerning updates to references to the Code of Federal Regulations (CFR) to bring it up to date with the July 1, 2016 edition. IDEM is also updating text related to information that has been incorporated by reference in several sections of Title 327, including a postponement of compliance dates issued by U.S. EPA on September 18, 2017, concerning the steam electric power generating point source category. Additionally, IDEM is making administrative changes to remove obsolete language, correct mistakes, and for consistency with rule writing format. Updating Indiana rules to the July 1, 2016 version of the CFR will provide the latest federal requirements to regulated entities, with the exception of those federal regulations most recently published in the Federal Register. This update provides consistency between Indiana rules and federal regulations.

Affected Persons
All stakeholders will benefit from this rulemaking because it updates the state rules for consistency with federal standards.

Reasons for the Rule
The 2016 CFR Update is a codification of the final and effective regulations published in the Federal Register as of July 1, 2016. The purpose of the state rulemaking is to update state rules for consistency with federal rules.

Economic Impact of the Rule
Updating “References to the Code of Federal Regulations” to mean the July 1, 2016 edition will have a positive effect on business, local governments, and citizens by ensuring that state and federal rules are consistent. Although there may be costs to comply with the rules that have been incorporated by reference, the costs are due to the federal regulations themselves and no additional costs will be incurred as a result of updating the reference to the CFR.

Scheduled Board Action and Hearings
First Public Hearing: October 11, 2017, at 1:30 p.m., at the Indiana Government Center South, 10 North Senate Avenue, Conference Center Room A, Indianapolis, IN 46204
Second Public Hearing: January 10, 2018, at 1:30 p.m., at the Indiana Government Center South, 10 North Senate Avenue, Conference Center Room A, Indianapolis, IN 46204

IDEM Contact
Additional information regarding this rulemaking action can be obtained from Keelyn Walsh,
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