

# TITLE 326 AIR POLLUTION CONTROL DIVISION

## Rule Information Sheet

Short Term Backup Units  
LSA Document #16-309

### Overview

The provisions of 326 IAC 2-1.1-3 identify specific conditions under which emission units, operations, or processes are exempt from construction or modification requirements in Indiana's air permitting rules. When an existing permitted emission unit or its control device at a source needs to be taken offline due to either a failure or a planned maintenance event to prevent an operational failure, a different emission unit or control device often needs to be inserted into its place in order for the process to continue operating while the repair or maintenance event is completed. The repairs to these permitted units often last longer than thirty days.

For the source, this can result in additional downtime, lost productivity, extra costs, and the risk of being in violation of the rule if a backup unit is used to continue operations. Extra costs could include seeking approval for modification of the registration or permit and the cost of obtaining a short term backup unit. For IDEM, there are costs associated with reviewing registration and permit modification requests.

This rulemaking amends 326 IAC 2-1.1-3 to add a provision to the list of exemptions to allow the operation of short term backup units under certain circumstances without first seeking modification to a permit. A short term backup unit could be used as part of normal operations while repairs or maintenance are completed to the original equipment in a reasonable amount of time, without a loss of efficiency or extra administrative costs for IDEM or for the source. The source will still be required to comply with all existing permit terms, limits, and requirements.

### Affected Persons

Any sources in Indiana that operate emission units and choose the option to operate a short term backup unit during periods of maintenance or repair of the primary emission unit.

### Reasons for the Rule

This rulemaking is a state-only update intended to provide flexibility for sources complying with 326 IAC 2-1.1-3 by adding a provision to the list of exemptions at 326 IAC 2-1.1-3 to allow for the operation of a short term backup unit by sources under certain circumstances without first seeking a modification to a permit. Without this rulemaking, sources would not be able to operate as efficiently and would continue experiencing lost productivity and extra costs.

### Economic Impact of the Rule

There is a positive economic impact and significant cost savings associated with this rulemaking. Short term backup units allow for continued plant operations when existing units are undergoing

repair or maintenance, thereby saving sources the extra cost, lost productivity, and additional downtime they would experience by needing to apply for and obtain a permit modification.

**Scheduled Board Action and Hearings**

First Public Hearing: February 13, 2019, 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, Rules Development Branch, Office of Legal Counsel, (317) 232-8229, (800) 451-6027 (in Indiana), or [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov).