

TITLE 326 AIR POLLUTION CONTROL DIVISION

Rule Information Sheet

Emission Reporting Revisions
LSA Document #19-409

Overview

The Clean Air Act (CAA) requires that the United States Environmental Protection Agency (U.S. EPA) set primary and secondary National Ambient Air Quality Standards (NAAQS) for the six criteria air pollutants considered harmful to public health and the environment. These pollutants are carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. Each county in Indiana is classified, or designated, as being in attainment if air quality monitoring or modeling indicate that the area is meeting the NAAQS. Areas are designated as nonattainment if the measured concentrations of one or more of these criteria pollutants exceed the NAAQS or contribute significant amounts of pollutants to an area that measures air quality that does not meet the NAAQS.

On June 4, 2018, U.S. EPA designated Clark and Floyd counties as nonattainment for the 2015 8-hour ozone standard as a portion of the Louisville, Kentucky-Indiana nonattainment area. In accordance with CAA requirements, each state with an ozone nonattainment area must revise its state implementation plan to require sources with volatile organic compounds (VOC) or nitrogen dioxide emissions greater than 25 tons per year to submit an annual statement of actual emissions under 42 United States Code (U.S.C.) 7511a(a)(3)(B).

This rulemaking will amend 326 IAC 2-6 to include Clark and Floyd counties under this requirement to ensure that state rules are consistent with federal regulations. This rulemaking will also remove LaPorte County and Lawrenceburg Township in Dearborn County from the annual emission statement requirements, as both of these counties have demonstrated attainment of the ozone NAAQS and have been redesignated to attainment.

Affected Persons

Sources that emit VOC or oxides of nitrogen located in Clark, Floyd, and LaPorte counties, and Lawrenceburg Township in Dearborn County, that are potentially affected by this rule.

Reasons for the Rule

This rule amends 326 IAC 2-6 concerning emissions reporting requirements for certain sources in Clark, Floyd, and LaPorte counties, and Lawrenceburg Township in Dearborn County, to ensure that state rules are consistent with federal regulations.

Economic Impact of the Rule

This rulemaking has no impact beyond that which is already imposed by federal law.

Scheduled Board Action and Hearings

First Public Hearing: November 13, 2019, 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 8, 2020, 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.