

TITLE 326 AIR POLLUTION CONTROL DIVISION

Rule Information Sheet

IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules for Title 326
LSA Document #20-184

Overview

Certain rules described in IC 13-14-9.5-1.1 do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under IC 13-14-9. This notice was published in the Indiana Register on April 8, 2020, at DIN: 20200408-IR-326200184BNA. No comments were received during the comment period. IDEM must also hold a public hearing before the Environmental Rules Board (board). The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

The affected rules can be viewed online by clicking on the list of citations in the IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules (DIN: [20200408-IR-326200184BNA]).

Citations Affected

326 IAC 1-2-6.5	“Board” defined
326 IAC 2-2-1	Definitions
326 IAC 2-7-1	Definitions
326 IAC 5-1-8	Site-specific temporary alternative opacity limitations
326 IAC 6-7-1	Southern Indiana Gas and Electric Company (SIGECO)
326 IAC 6.5-2-1	General provisions
326 IAC 6.5-2-4	ESSROC Cement Corporation
326 IAC 6.5-2-8	Kimball Office- Borden
326 IAC 6.5-2-9	PQ Corporation
326 IAC 6.5-3-1	General provisions
326 IAC 6.5-3-2	Anchor Glass Container Corporation
326 IAC 6.5-3-3	Dearborn Ready Mix, LLC
326 IAC 6.5-3-4	Indiana Michigan Power, Tanners Creek Plant
326 IAC 6.5-3-5	Laughery Gravel
326 IAC 6.5-4-1	General provisions
326 IAC 6.5-4-3	Jasper Seating Co., Inc., Plant No.3
326 IAC 6.5-4-5	Dubois County Farm Bureau Co-op
326 IAC 6.5-4-6	Forest Products No. 1
326 IAC 6.5-4-9	Indiana Desk Company

326 IAC 6.5-4-10	Indiana Dimension, Indiana Furniture Industries
326 IAC 6.5-4-15	Jasper Chair Company, Inc.
326 IAC 6.5-4-16	Jasper Desk Company, Incorporated
326 IAC 6.5-4-18	Jasper Municipal Electric Utility
326 IAC 6.5-4-19	JOFCO Inc. Plants 1 and 2
326 IAC 6.5-4-21	Jasper Seating
326 IAC 6.5-5-1	General provisions
326 IAC 6.5-5-10	Kokomo Grain Company
326 IAC 6.5-5-11	E & B Paving, Inc.
326 IAC 6.5-5-16	Martin Marietta Materials, Inc.
326 IAC 6.5-6-1	General provisions
326 IAC 6.5-6-5	Bunge North America (East), Inc.
326 IAC 6.5-6-18	Cargill, Inc.
326 IAC 6.5-6-22	Indiana Veneers Corporation
326 IAC 6.5-6-23	Citizens Thermal Energy C.C. Perry K
326 IAC 6.5-6-23.1	Indianapolis Power and Light Company (IPL) Harding Street Station
326 IAC 6.5-6-28	Quemetco Inc. (RSR Corporation)
326 IAC 6.5-6-31	Vertellus Agriculture & Nutrition Specialties LLC
326 IAC 6.5-6-34	St. Vincent's Hospital and Health Care Service
326 IAC 6.5-6-35	Belmont Waste Water Sludge Incinerator
326 IAC 6.5-7-1	General provisions
326 IAC 6.5-7-6	Bosch Braking Systems Corporation
326 IAC 6.5-7-10	RACO-Hubbell Electric Products
326 IAC 6.5-7-11	Reith Riley Construction Company, Inc.
326 IAC 6.5-7-13	Holy Cross Services Corporation (Saint Mary's Campus)
326 IAC 6.5-7-14	Accucast Technology, LLC
326 IAC 6.5-7-16	University of Notre Dame du Lac
326 IAC 6.5-7-18	Walsh & Kelly, Inc.
326 IAC 6.5-8-1	General provisions
326 IAC 6.5-8-11	Nunn Milling Company, Inc.
326 IAC 6.5-8-12	Land O' Lakes Purina Feed LLC
326 IAC 6.5-8-13	Southern Indiana Gas and Electric Company, Broadway Avenue Generating Station
326 IAC 6.5-8-14	Whirlpool Corporation Highway 41 North
326 IAC 6.5-9-1	General provisions
326 IAC 6.5-9-10	S&G Excavating, Inc.
326 IAC 6.5-9-11	Duke Energy Indiana, Inc.-Wabash River Generating Station
326 IAC 6.5-9-13	Sisters of Providence
326 IAC 6.5-9-15	Terre Haute Grain
326 IAC 6.5-9-17	Ulrich Chemical, Inc.
326 IAC 6.5-10-1	General provisions
326 IAC 6.5-10-2	Barrett Paving Materials, Inc.

326 IAC 6.5-10-3 Belden Wire and Cable Company
 326 IAC 6.5-10-5 Milestone Contractors LP (Cambridge City)
 326 IAC 6.5-10-9 Earlham College
 326 IAC 6.5-10-11 Johns Manville International, Inc.
 326 IAC 6.5-10-12 Joseph H. Hill Co.
 326 IAC 6.5-10-13 Land O' Lakes Purina Feed LLC
 326 IAC 6.5-10-14 Milestone Contractors Richmond
 326 IAC 6.5-10-15 Richmond Power & Light- Whitewater Valley Generating Station
 326 IAC 6.5-10-16 Richmond State Hospital
 326 IAC 6.8-2-1 General provisions and definitions
 326 IAC 6.8-2-2 Lake County: PM₁₀ and total suspended particulates (TSP) emissions
 326 IAC 6.8-2-4 ASF-Keystone, Inc.-Hammond
 326 IAC 6.8-2-6 BP Products North America, Inc.-Whiting Refinery
 326 IAC 6.8-2-7 Bucko Construction Company, Inc.
 326 IAC 6.8-2-8 Cargill, Inc.
 326 IAC 6.8-2-9 W.R. Grace and Co.-Conn.
 326 IAC 6.8-2-13 Hammond Group, Inc. (HGI) Halox Division, Lead Products Division, and Hammond Expander Division
 326 IAC 6.8-2-14 Hammond Group, Inc.-Halstab Division
 326 IAC 6.8-2-16 Resco Products, Inc.
 326 IAC 6.8-2-17 Mittal Steel-Indiana Harbor East Inc.
 326 IAC 6.8-2-19 Dover Chemical Corporation-Hammond
 326 IAC 6.8-2-20 LaSalle Steel Company
 326 IAC 6.8-2-21 Mittal Steel-Indiana Harbor West Inc.
 326 IAC 6.8-2-22 Carmeuse Lime Inc.
 326 IAC 6.8-2-24 Methodist Hospital Inc.
 326 IAC 6.8-2-25 National Recovery Systems
 326 IAC 6.8-2-26 NIPSCo-Dean H. Mitchell Station
 326 IAC 6.8-2-27 Praxair Inc.
 326 IAC 6.8-2-28 Premiere Candy Company
 326 IAC 6.8-2-30 Rhodia, Inc.
 326 IAC 6.8-2-31 Silgan Containers Manufacturing Corporation
 326 IAC 6.8-2-32 Smith Ready Mix, Inc.
 326 IAC 6.8-2-33 State Line Energy, LLC
 326 IAC 6.8-2-35 Conopco, Inc. d/b/a Unilever HPC USA
 326 IAC 6.8-2-36 Union Tank Car Company, Plant 1
 326 IAC 6.8-2-37 United States Gypsum Company
 326 IAC 6.8-2-38 U.S. Steel-Gary Works
 326 IAC 6.8-4-1 Test methods
 326 IAC 10-6-1 Southern Indiana Gas and Electric Company (SIGECO)
 326 IAC 15-1-2 Source-specific provisions
 326 IAC 15-1-3 Control of fugitive lead dust
 326 IAC 15-1-4 Compliance

- 326 IAC 20-13.1-3 Emission limitations; lead standards for Exide Technologies, Incorporated
- 326 IAC 20-13.1-6 Total enclosure requirements
- 326 IAC 20-13.1-10 Other requirements
- 326 IAC 20-13.1-14 Record keeping and reporting requirements
- 326 IAC 26-2-2 Alcoa emission limitations and compliance methods

Affected Persons

This rulemaking affects no additional persons that were not already affected by the rules in the last seven years. These affected persons will benefit from the stability of a consistent regulatory environment and the ability to comment on the rules on a statutorily defined schedule.

Reasons for the Rule

This rulemaking to review rules that do not expire under IC 13-14-9.5 is a statutory requirement under IC 13-14-9.5-1.1.

Economic Impact of the Rule

This rulemaking creates no fiscal impact on any person.

Scheduled Hearings

Public Hearing: September 9, 2020, starting at 1:30 p.m., the Environmental Rules Board (ERB) will conduct a meeting through Zoom.

Join Zoom Meeting

<https://zoom.us/j/98588137995?pwd=SEpGdm9GVlVTclRlZm5iZHpSV3NlZz09>

By phone:

- +1 301 715 8592
- +1 312 626 6799

Meeting ID: 985 8813 7995
Password: 063903

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.