

# TITLE 326 AIR POLLUTION CONTROL DIVISION

## Rule Information Sheet

Sulfur Dioxide Redesignation for Daviess and Pike Counties in Indiana  
LSA Document #21-258

### Overview

Indiana's attainment status tables at 326 IAC 1-4 are periodically updated to reflect each county's attainment status. On October 24, 2018, Indiana submitted a request for approval to U.S. EPA of the southwest Indiana nonattainment area's redesignation and maintenance plan and provided supplemental information to U.S. EPA on August 25, 2020. On March 2, 2021, U.S. EPA published the approved request for redesignation of the southwest Indiana SO<sub>2</sub> nonattainment area for Veale Township in Daviess County, and Washington Township in Pike County to attainment for the 2010 1-hour primary sulfur dioxide (SO<sub>2</sub>) National Ambient Air Quality Standards (NAAQS) (86 FR 12107). In this final action, U.S. EPA found that Indiana has demonstrated that this area is attaining the 2010 SO<sub>2</sub> NAAQS and that the improvement in air quality is due to permanent and enforceable reductions of SO<sub>2</sub> in the area. U.S. EPA also approved Indiana's maintenance plan, which is designed to ensure that the area will continue to maintain the SO<sub>2</sub> NAAQS in the future.

This rule amends 326 IAC 1-4-15 and 326 IAC 1-4-64 to update the attainment designation status for Veale Township in Daviess County and Washington Township in Pike County under the 2010 1-hour primary NAAQS for SO<sub>2</sub>. This rule also amends 326 IAC 1-4-15 and 326 IAC 1-4-64 to update the designation status for the remaining portions of Daviess and Pike counties to unclassifiable or attainment under the 2010 1-hour primary SO<sub>2</sub> NAAQS as published by U.S. EPA on January 19, 2018 (83 FR 1098), and to clarify that these counties are designated as better than the national secondary standard for the 1971 3-hour SO<sub>2</sub> standard as published on March 3, 1978 (43 FR 8962).

A separate rulemaking amending 326 IAC 1-4 to update the attainment designation status for ninety Indiana counties under the primary and secondary NAAQS for SO<sub>2</sub> and the 2015 8-hour Porter County ozone designation status was initiated after the notice for this rule was published in the Indiana Register. Therefore, the SO<sub>2</sub> national secondary standard for Daviess and Pike counties has been updated in this rulemaking instead of the future SO<sub>2</sub> designations rulemaking. This will ensure that the SO<sub>2</sub> updates for Daviess and Pike counties are contained in one rulemaking to avoid confusion and potential crossover errors between the two rules.

### Affected Persons

All stakeholders in Daviess and Pike counties will benefit from this rulemaking because it ensures that state rules are consistent with federal requirements.

### Reasons for the Rule

This rule updates the specific language in the Daviess County and Pike County attainment designation status tables for the primary and secondary NAAQS for SO<sub>2</sub> to ensure that state rules are consistent with federal regulations.

### **Economic Impact of the Rule**

This update is a state requirement to ensure that state rules are consistent with federal regulations. Therefore, no impact beyond that already imposed by the federal law is imposed by this rulemaking.

### **Scheduled Board Action and Hearings**

First Public Hearing: November 10, 2021, at 1:30 p.m., at the Indiana Government Center South, 10 North Senate Avenue, Conference Room A, Indianapolis, Indiana.

The public may attend the ERB meeting in person or join by using the following Zoom link, meeting ID, and passcode, or telephone numbers that can be found prior to the meeting at: [https://events.in.gov/event/environmental\\_rules\\_board\\_meeting](https://events.in.gov/event/environmental_rules_board_meeting).

### **IDEM Contact**

Additional information regarding this rulemaking action can be obtained from Keelyn Walsh, Rules Development Branch, Office of Legal Counsel, at [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov), (317) 232-8229, (800) 451-6027 (in Indiana), or [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov).