

IDEM Regulatory Updates

The Environmental Rules Board met in February, March and May of this year. The next meeting will be held on *Wednesday, August 14th* at 1:30 pm in IGCS Conference Center Room A. For more information regarding this Board, please visit <http://www.in.gov/idem/4087.htm>.

The upcoming Compliance Due Dates are thus:

- On **June 30th**, the *wastewater operator* and *drinking water operator certification renewal applications* are due. These certifications expire ever two (2) years.
- On **July 1st**, the *Hazardous Materials Registration* is due to the U.S. Department of Transportation and the *Air Annual Compliance Certification* is due for all companies except those required to submit theirs on April 15th. The *SARA 313 Toxic Release Inventory report* and the *Annual Emission Statement* or Emission Inventory Tracking System (EMITS) *reports* are due. Annual Emission Statements are due annually or every three years based on the pollutant, the county and the potential to emit.
- On **July 15th**, the *Solid Waste Quarterly reports* are due.
- On **July 20th**, the *Hazardous Waste Disposal Tax Return form* and the previous quarter *fees* are due for disposal of hazardous waste on-site through underground injection.
- On **July 30th**, the *Semi-Annual Air Compliance Monitoring report* regarding the previous January through June and the *Air Quarterly Deviation and Compliance Monitoring report* as well as the *Quarterly Air Permit reports* regarding April through June are due.
- For a full list of Compliance Due Dates please visit <http://www.in.gov/idem/ctap/2366.htm>.

Five (5) webpages have been added to the Subscription Service for your convenience. They are an E-Waste Program webpage and E-Waste webpages for Manufacturers, Collectors, Recyclers and Retailers. If you have any questions regarding the E-Waste Program, Ms. Meredith Jones can assist you. She can be reached at mjones@idem.in.gov or (317) 234-7976.

Per a request from a P4P2 member, the following is an update on the status of IDEM's *Nutrient rulemakings*. Upcoming rulemakings regarding nutrients were mandated by the U.S. EPA. When discussing nutrients, we are more specifically talking about Nitrogen and Phosphorus. Upon being mandated to implement nutrient criteria, the Office of Water Quality decided to develop two (2) rulemakings. The initial nutrient rulemaking being developed is the [Development of Amendments to Rules concerning Nutrient Criteria and Water Quality Standards for Lakes and Reservoirs](#). It was published within the Indiana Register (IR) on June 30, 2010. The OWQ began this process by collaborating with the U.S. Geological Survey and universities to obtain and analyze nutrient data within lakes and reservoirs in Indiana. A Nutrient Technical Advisory Group was formed to determine how to move forward. This group is comprised of IDEM staff, USGS staff, and experts at the Universities. When developing the nutrient criteria they specifically looked at total phosphorus and total nitrogen data to determine appropriate total phosphorus and chlorophyll a criteria. Currently, the Nutrient Technical Advisory Group is determining the methodology for assessing impairment, an implementation approach and permit limits for direct and indirect dischargers. The limits currently being proposed are **8 µg/l of chlorophyll a** and **25 µg/l of TP** regarding **lakes** and **35 µg/l of TP** regarding **reservoirs** during the months of June through September. One (1)

exceedance in three (3) years would be allowed before a Notice of Violation was sent. There may be a possibility of a variance allowing up to **98 µg/l** of **TP** for **lakes** and up to **126 µg/l** of **TP** for **reservoirs** depending on site specific data. Tentatively, a Second Notice of Comment Period has not been scheduled although the goal for this rulemaking to be final adopted is December of 2014. Additional resources can be found in the form of several presentations located at <http://www.in.gov/idem/6752.htm>. The second rulemaking, regarding nutrient criteria in streams and rivers, has not officially begun. The OWQ is currently collaborating with the USGS to obtain and analyze nutrient data within streams and rivers in Indiana.

The [Development of Amendments to Rules concerning Volatile Organic Compounds in Organic Solvent Degreasers](#) became effective on March 1, 2013. This rulemaking extended the solvent use requirements for cold cleaners to the entire state and clarified wipe cleaning is not cold cleaning. It exempted:

- solvent degreasing operations subject to 40 CFR 63, Subpart T NESHAP for Halogenated Solvent Cleaning and 40 CFR 63, Subpart GG NESHAP for Aerospace and
- solvents that are less than 1% VOC by weight as long as they not located in Clark, Floyd, Lake or Porter counties.

It also requires additional control equipment and operating requirements for:

- cold cleaning,
- open top vapor degreasing and
- conveyORIZED degreasing.

Per a request from a P4P2 member, the following is an update on an alternative method of estimating Particulate Matter 2.5 (PM_{2.5}). The first consideration the facility should focus on is whether or not the facility is considered a Prevention of Significant Deterioration (PSD) facility.

- If the facility is not considered a PSD facility and according to AP-42 has a designated emission factor, the facility should utilize the designated emission factor for their calculations to determine a limit.
- If the facility is not considered a PSD facility and according to AP-42 does not have a designated emission factor, the facility should utilize the PM₁₀ emission factor in-lieu of a PM_{2.5} emission factor for their calculations to determine a limit.
- If the facility is considered a PSD facility, the facility will be required to monitor for background concentrations of SO₂ and possibly NO_x (which is considered representative of PM_{2.5}) for a time frame of one (1) year. The facility will then utilize the data to develop a model to determine a limit. The U.S. EPA has not stipulated expectations regarding monitoring and the development of a model. The development of the model will need to be done working closely with modelers from the Office of Air Quality (OAQ). The OAQ has yet to approve a model and the U.S. EPA is likely to be picky regarding the monitoring and the data utilized to develop the model.

If you have further questions, please contact IDEM's Compliance and Technical Assistance Program at CTAP@idem.in.gov or (317) 232-8132 or (800) 988-7901.