



Jennifer Collins, Assistance and Outreach Manager
Office of Program Support
December 8, 2016

Staff changes in the Office of Program Support (OPS)

- Leanne Whitesell, Partners Program Coordinator
- Charles Breitenfeldt, CTAP Senior Environmental Manager in the Northwest Regional Office
- Nathan Christian, former Governor's Awards – Boating Infrastructure Grant Program and Clean Vessel Act Grants – left IDEM



Indiana Department of Environmental Management

Protecting Hoosiers and Our Environment Since 1986



IDEM's Compliance and Technical Assistance Program



The Compliance and Technical Assistance Program (CTAP) provides assistance to help Indiana businesses understand and comply with environmental regulations. It is important to note the following about CTAP assistance:

- **Nonregulatory** – CTAP staff members are not regulators and do not have regulatory authority. Therefore, businesses will not be penalized for reporting relevant environmental information to CTAP when requesting assistance.
- **Free and Confidential** – While CTAP staff members serve as liaisons between the regulatory programs and businesses, they do not provide any details about the company to regulators, as the information is protected under Indiana Code 13-28-3-4.



- **Assistance** – CTAP staff members provide assistance through on-site visits or via phone and will provide a full compliance review or just target a single issue. They also develop training programs, brochures, and webinars to help businesses understand the state and federal environmental regulations that affect them.
- **Multimedia** – CTAP staff members are knowledgeable in air, water, land, and Community-Right-to-Know regulations and are happy to answer questions in these areas.

CTAP staff members provide assistance to businesses that contact them directly, are referred by regulatory inspectors or permit writers, or are impacted by a new U.S. EPA or state regulation.

Contact us if you need assistance

Hotline: (800) 988-7901

Email: CTAP@idem.IN.gov

Website: www.idem.IN.gov/ctap



Upcoming Compliance Due Dates

December 15:

- Fourth quarter payment due for NPDES Annual Bill, if paying in quarterly installments.

December 31:

- Organic Pollutant Monitoring Report due for delegated water Pretreatment Programs.

January 15:

- [Solid Waste Quarterly Reports](#) due.
- SSOA Air Permit annual fees are due 30 days after the invoice is generated. All invoices are generated by the 15th of the previous month.

January 20:

- Hazardous Waste Disposal Fee (State Form 46244, available on the [IDEM Forms](#) page) due for the prior quarter's activity for disposal of hazardous waste on-site through underground injection or by other methods.

Upcoming Compliance Due Dates

January 28:

- Quarterly Noncompliance Report due for delegated water Pretreatment Programs (unless otherwise permitted to submit report in February).

January 30:

- Air Quarterly Deviation and Compliance Monitoring Report due for October through December. Check your permit to determine if you are on a quarterly or semiannual reporting schedule.
- Semiannual Air Compliance Monitoring Report due for July through December. Check your permit to determine if you are on a quarterly or semi-annual reporting schedule.
- Quarterly Air Permit Reports (e.g., usage reports) due for October through December.



IDEM, CTAP presents - E101, Air Permitting and Compliance Module

A free training offered to those persons managing environmental responsibilities at Indiana small businesses.

This module focuses on air permitting regulations and determinations, exercises for calculating potential emissions from common processes, what to expect from a compliance inspection, and how the enforcement process works.

Date:	Thursday, February 9, 2017
Location:	IGCS, Conference Room A
Time:	8:30 a.m. - 4:00 p.m.

Register here: <https://www.eventbrite.com/e/idem-e101-tickets-29901416943>



Rule and Policy Update

*Proposed and final rules/policies
that may affect Indiana businesses*



Title 318 – Indiana Department of Environmental Management

No current active rules under this Title.



Title 326 – Air Pollution Control Division

- Startup, Shutdown, and Malfunction (SSM) Emissions [LSA #15-326](#)

The United States Environmental Protection Agency (U.S. EPA) published findings in the Federal Register (FR) on June 12, 2015, (80 FR 33839) concerning inadequacies to startup, shutdown, and malfunction (SSM) provisions in state rules. This action, effective on May 22, 2015, directs thirty-six (36) states, including the state of Indiana, to correct specific provisions in State Implementation Plans (SIPs) concerning the treatment of excess emissions that occur at certain industrial facilities during periods of SSM to be consistent with the Clean Air Act (CAA) and with U.S. EPA's updated SSM policy.

History:

- | | |
|--|-------------------------------------|
| ○ First Notice Comment Period: | September 30, 2015–October 30, 2015 |
| ○ Notice of First Hearing/Second Comment Period: | April 27, 2016 |
| ○ Public Hearing/Preliminary Adoption: | August 10, 2016 |
| ○ Public Hearing/Final Adoption: | November 9, 2016 |
| ○ Anticipated Effective | March 2017 |

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Title 326 – Air Pollution Control Division

- Emissions Reporting for Lawrenceburg Township, Dearborn County [LSA #16-162](#)

Under Section 107(d)(1)(B) of the Clean Air Act (CAA), Lawrenceburg Township in Dearborn County was designated as a marginally classified nonattainment area for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS) by the United States Environmental Protection Agency (U.S. EPA) on May 21, 2012. This rulemaking is a required component of a complete and approvable redesignation request. Once the completed redesignation request is approved by U.S. EPA and published in the Federal Register, Lawrenceburg Township in Dearborn County can be redesignated to attainment through a future state rulemaking.

History:

- | | |
|--------------------------------|-----------------------------|
| ○ First Notice Comment Period: | April 27, 2016–May 27, 2016 |
| ○ Notice of First Hearing: | April 27, 2016 |
| ○ Public Hearing/Adoption: | August 10, 2016 |
| ○ Effective | November 20, 2016 |

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Title 326 – Air Pollution Control Division

- References to the Code of Federal Regulations (CFR) [LSA #16-208](#)

"References to the Code of Federal Regulations" at [326 IAC 1-1-3](#) indicates the yearly edition of the CFR that is applicable to federal regulations that have been incorporated by reference throughout 326 IAC, unless a previous edition is specified in a specific rule. By updating the reference to the CFR at [326 IAC 1-1-3](#), the Environmental Rules Board is incorporating by reference the latest version of the CFR, with the exception of those regulations most recently published in the Federal Register (FR). By updating the reference date to July 1, 2015, 326 IAC will be consistent with those regulations the federal government promulgated between July 1, 2013, and June 30, 2015. The 2015 edition of the CFR is a codification of the final and effective regulations published in the FR as of June 30, 2015.

History:

- | | |
|-----------------------------------|----------------------------|
| ○ First Notice of Comment Period: | May 25, 2016–June 24, 2016 |
| ○ Notice of First Hearing: | May 25, 2016 |
| ○ Public Hearing/Adoption: | August 10, 2016 |
| ○ Anticipated effective | December 2016 |

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Title 326 – Air Pollution Control Division

- Short Term Backup Limits [LSA #16-309](#)

IDEM is proposing changes to [326 IAC 2-1.1-3](#) to allow for the use of acceptable short term backup emission units or control devices as part of normal operations to qualify as an exemption and to be used in the process while repairs or maintenance are completed to the original equipment in a reasonable amount of time, without the loss of efficiency or extra costs for IDEM or for the source. The source will still be required to comply with all existing permit terms and conditions, and IDEM will coordinate with U.S. EPA to ensure that these changes meet federal requirements.

History:

- First Notice of Comment Period: July 20, 2016–August 16, 2016

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Title 326 – Air Pollution Control Division

- Outdoor Hydronic Heater Revisions [LSA #16-332](#)

IDEM is proposing to amend [326 IAC 4-3](#) to remove the requirement for new installations to meet Phase 2 particulate emission limits for outdoor hydronic heaters and label according to U.S. EPA's previous voluntary program, as new installations are now regulated nationwide under Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces (40 CFR 60, Subpart QQQQ). The primary purpose of this rulemaking is to update [326 IAC 4-3](#) so there are no conflicts with the federal NSPS. This rule will also amend additional language as necessary to address the changes in implementation. These amendments do not make any substantive changes or impose any new regulations beyond those already federally required or currently enforced in [326 IAC 4-3](#). While the NSPS applies to more than outdoor hydronic heaters, such as forced air furnaces, the state rule at [326 IAC 4-3](#) will remain limited to outdoor hydronic heaters. Additionally, there are certain requirements in [326 IAC 4-3](#) that were implemented by IDEM in the 2011 rulemaking that are not part of the U.S. EPA final rule. These requirements concern operational uses of the unit, such as stack height requirements, the summertime operating ban, opacity limits, and the notice to buyers. This rulemaking proposes to retain these requirements.

History: First Notice of Comment Period:

August 17, 2016–September 16, 2016

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Title 327 – Water Pollution Control Division

- Total Coliform Revisions to Drinking Water Rules [LSA #14-59](#)

Adds [327 IAC 8-2.4](#) and amends [327 IAC 8-2-7](#), [327 IAC 8-2-8](#), [327 IAC 8-2-8.1](#), [327 IAC 8-2-8.2](#), [327 IAC 8-2-8.3](#), [327 IAC 8-2-8.4](#), [327 IAC 8-2-8.8](#), [327 IAC 8-2-13](#), [327 IAC 8-2-31](#), [327 IAC 8-2.1-3](#), [327 IAC 8-2.1-6](#), [327 IAC 8-2.1-8](#), [327 IAC 8-2.1-9](#), [327 IAC 8-2.1-10](#), [327 IAC 8-2.1-16](#), [327 IAC 8-2.1-17](#), [327 IAC 8-2.3-4](#), [327 IAC 8-2.3-7](#), and [327 IAC 8-2.5-6](#) concerning revisions adopted by the United States Environmental Protection Agency (U.S. EPA) to the Total Coliform Rule (TCR) under the Safe Drinking Water Act (SDWA) and corrections requested by U.S. EPA to the Ground Water Rule (GWR) and Stage 2 Disinfectants and Disinfection Byproducts (Stage 2) rules that were previously adopted.

History:

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|--|-----------------------------|
| ○ First Notice Comment Period: | March 5, 2014–April 4, 2014 |
| ○ Second Comment Period: | May 11, 2016–June 10, 2016 |
| ○ Public Hearing/Preliminary Adoption: | August 10, 2016 |
| ○ Public Hearing/Final Adoption: | November 9, 2016 |
| ○ Anticipated Effective | March 2017 |

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Title 327 – Water Pollution Control Division

- Interference of a Publicly Owned Treatment Works [LSA #16-4](#)

A written proposal for the amendment of [327 IAC 5-17-11](#), the definition of "interference" as it regards pretreatment discharge of wastewater into a POTW, was presented to the board at its meeting in January 2015. The proposal and its supporters alleged that the definition at [327 IAC 5-17-11](#) is more stringent than the federal definition at [40 CFR 403.3\(k\)](#) and that the state's definition creates vagueness and subjectivity in determining whether interference has occurred at the POTW. The board held a hearing on the proposal and considered it at several board meetings after the initial presentation. The board's final action at its October 2015 meeting was to direct IDEM to conduct rulemaking to revise the definition at [327 IAC 5-17-11](#) to be consistent with the federal definition.

History:

- | | |
|--|-----------------------------|
| ○ First Notice Comment Period: | March 5, 2014–April 4, 2014 |
| ○ Second Comment Period: | May 11, 2016–June 10, 2016 |
| ○ Public Hearing/Preliminary Adoption: | August 10, 2016 |
| ○ Public Hearing/Final Adoption: | November 9, 2016 |
| ○ Anticipated Effective | March 2017 |

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Title 327 – Water Pollution Control Division

- CAFO and CFO Reference Update [LSA #16-3](#)

Amendments to [327 IAC 15-16](#) and [327 IAC 19](#) concerning concentrated animal feeding operations (CAFO) and confined feeding operations (CFO) to update references to the Indiana Natural Resources Conservation Service (NRCS) Nutrient Management Conservation Practice Standards Codes 313, 360, 521A, 521B, 521C, 590, 633, and 656, and the construction specification for concrete construction, and the Code of Federal Regulations (CFR). The primary goal of the NRCS updates is to use the most modern engineering standards and provide clarity to daily management practices that reflect current industry standards.

History:

- | | |
|--|-----------------------------|
| ○ First Notice Comment Period: | March 5, 2014–April 4, 2014 |
| ○ Second Comment Period: | May 11, 2016–June 10, 2016 |
| ○ Public Hearing/Preliminary Adoption: | August 10, 2016 |
| ○ Public Hearing/Final Adoption: | TBD |

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Title 328 – Underground Storage Tank Financial Assurance Board

No current active rules under this Title.

Title 329 – Solid Waste Management Division

- Updates to Hazardous Waste Rules [LSA #16-93](#)

Amends [329 IAC 3.1](#) in order to adopt the July 1, 2015, version of the Code of Federal Regulations (CFR) for the incorporation by reference of [40 CFR 260](#) through [40 CFR 270](#) and [40 CFR 273](#), including amendments to the hazardous waste requirements in recently promulgated U.S. EPA final rules.

This rulemaking will adopted the amendments from the following U.S. EPA final rules:

- On February 7, 2014, at [79 FR 7518](#) (Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System; Electronic Manifests);
- On June 26, 2014, at [79 FR 36220](#) (Revisions to the Export Provisions of the Cathode Ray Tube [CRT] Rule);
- On January 13, 2015, at [80 FR 1694](#) (Definition of Solid Waste); and
- On April 8, 2015, at [80 FR 18777](#) (Response to Vacatures of the Comparable Fuels Rule and the Gasification Rule).

History:

First Notice Comment Period: March 16, 2016–April 15, 2016

Public Hearing/Adoption: August 10, 2016

Effective: November 5, 2016

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Title 329 – Solid Waste Management Division

- Coal Combustion Residuals [LSA #16-217](#)

Amends [329 IAC 10-3-1\(8\)](#), [329 IAC 10-3-1\(9\)](#), and [329 IAC 10-9-1](#) to incorporate by reference the federal requirements for the operation and closure of a coal combustion residuals impoundment. Addresses the operation of any coal combustion residuals (CCR) impoundment subject to new federal regulations found at [40 CFR 257, Subpart D](#), promulgated by the U.S. EPA, that became effective October 19, 2015. The federal regulations found at [40 CFR 257.50](#) through [40 CFR 257.106](#) are incorporated by reference into Indiana rules to regulate CCR impoundments. IDEM will then submit an amendment of Indiana's Solid Waste Management Plan (SWMP) to U.S. EPA for approval so that IDEM can approve alternative compliance schedules under [40 CFR 256](#).

History:

First Notice Comment Period:

June 1, 2016–July 1, 2016

Public Hearing/Adoption:

August 10, 2016

Anticipated Effective:

December 2016

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Questions or Requests for Additional Information

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