

## **Enclosure 2**

Public Participation Process Documentation

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## **LEGAL NOTICE OF PUBLIC HEARING**

### **Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)**

**Note:** Legal notices for public hearings are no longer published in newspapers, but can be found on the Indiana Department of Environmental Management's (IDEM's) website at:  
<http://www.IN.gov/idem/6777.htm>.

Notice is hereby given under Title 40, Part 51.102 of the Code of Federal Regulations (40 CFR 51.102) that the Indiana Department of Environmental Management (IDEM) is accepting written comment and providing an opportunity for public hearing regarding *Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)*. All interested persons are invited and will be given reasonable opportunity to express their views concerning the submittal.

The purpose of this notice is to solicit public comment on *Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)*. On October 1, 2015, United States Environmental Protection Agency (U.S. EPA) strengthened the 8-hour ozone NAAQS to a level of 0.070 parts per million (ppm). This Infrastructure State Implementation Plan (SIP) submittal demonstrates to U.S. EPA that Indiana continues to retain the resources necessary to evaluate ambient air quality, develop plans to attain new and existing ambient air quality standards, run a complete new source review program, and enforce all applicable requirements of Section 110 of the Clean Air Act with respect to ground level ozone.

Copies of the draft documents will be available on or before Friday, August 24, 2018, to any person upon request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate Avenue, Room N1003, Indianapolis, Indiana
- Indianapolis-Marion County Public Library-West Indianapolis Branch, 1216 South Kappes Street, Indianapolis, Indiana

The draft documents will also be available on the following web page:

<http://www.in.gov/idem/airquality/2406.htm>

Any person may submit written comments on *Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)* on or before Monday, September 24, 2018. Written comments should be directed to

Ms. Amy Smith, Office of Air Quality, N1003, Indiana Department of Environmental Management, 100 North Senate Avenue, Indianapolis, Indiana 46204; or fax (317) 233-5967; or email at [amsmith@idem.IN.gov](mailto:amsmith@idem.IN.gov). A public hearing on *Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Sections 110(a)(1) and 110(a)(2) of the Clean Air Act for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)* will be held if a public hearing request is received by Monday, September 24, 2018. Interested parties may also present oral or written comments at the public hearing, if held. Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing, if held.

If a hearing is requested, the hearing will be held on Wednesday, September 26, 2018, and the public comment period will be extended to Wednesday, October 3, 2018. The hearing will convene at 6:00 p.m. (local time) at the Marion County Public Library-West Indianapolis Branch, 1216 South Kappes Street, Indianapolis, Indiana. If a request for a public hearing is not received by September 24, 2018, the hearing will be cancelled. Interested parties can check the online IDEM calendar at <http://www.in.gov/activecalendar/EventList.aspx> or contact Ms. Amy Smith at (317) 233-8211, after September 24, 2018, to see if the hearing has been cancelled or will convene.

If a hearing is held, a transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

For additional information contact Ms. Amy Smith, at the Indiana Department of Environmental Management, Office of Air Quality, Room N1003, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, IN 46204 or call (317) 233-8211 or (800) 451-6027, ext. 3-8211 (in Indiana).

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*Speech and hearing impaired callers may contact the agency via the Indiana Relay Service at 1-800-743-3333. Individuals requiring reasonable accommodations for participation in this hearing, if held, should contact the IDEM Americans with Disabilities Act (ADA) coordinator at:*

Attn: ADA Coordinator  
Indiana Department of Environmental Management – Mail Code 50-10  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

*Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD).  
Please provide a minimum of 72 hours notification.*



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

**Eric J. Holcomb**  
Governor

**Bruno L. Pigott**  
Commissioner

August 21, 2018

### CERTIFICATE OF PUBLICATION

This is to certify that the Indiana Department of Environmental Management (IDEM) Notice of the opportunity for a Public Hearing regarding the following:

- Draft Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)

was published on IDEM's web site on August 21, 2018. It is expected that it will remain posted on the site until at least September 30, 2018.

The notice in full was available online at the following web address, under "Statewide":

<http://www.in.gov/idem/5474.htm>

The draft document was also posted online August 21, 2018 at the following web address:

<https://www.in.gov/idem/airquality/2406.htm>

Web publication of the notice was at the request of Scott Deloney, Branch Chief, Programs Branch, Office of Air Quality, IDEM.

By:

Mike Finklestein  
IDEM Webmaster

Attachments:

Copy of web page as published.

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This webpage is dedicated to [state implementation plan \(SIP\)](#) documents can be accessed and viewed through the Office of Air Quality implementation, maintenance and enforcement of [National Ambient Air Act \(CAA\)](#).

2015 8-Hour Ozone NAAQS

Draft Indiana's Infrastructure State Implementation Plan (SIP) Submittal under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) [PDF]

Attachment 1, Interstate Transport "Good Neighbor" Provision Weight of Evidence Analysis for Indiana's Infrastructure State Implementation Plan (SIP) Submittal Under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2015 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) [PDF]

Appendix A [PDF]

Appendix B [PDF]

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2012 Fine Particles NAAQS

Weight of Evidence Analysis for Interstate Transport "Good Neighbor" Provision for the 2012 Annual Fine Particulate Matter (PM2.5) National Ambient Air Quality Standard; Infrastructure (Sections 110(a)(1) and 110(a)(2)) State Implementation Plan Submittal [PDF]

2018 Approval and Promulgation of 2012 Annual Fine Particles (PM2.5) Infrastructure (Section 110(a)(1) and Section 110(a)(2)) State Implementation Plan Submittal [PDF]

Indiana Infrastructure (Section 110(a)(1) and 110(a)(2)) State Implementation Plan Submittal: 2012 Annual Primary Fine Particulate Matter (PM2.5) National Ambient Air Quality Standards (NAAQS) [PDF]

Date and Time

Date and Time

Additional Clocks

Date:

Tuesday, August 21, 2018

Time:

11:14:26 AM

Change date and time...

Time zone

(UTC-05:00) Eastern Time (US & Canada)

Change time zone...

Daylight Saving Time ends on Sunday, November 04, 2018 at 2:00 AM. The clock is set to go back 1 hour at that time.

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OK

Cancel

Apply

11:14 AM

8/21/2018

September 24, 2018

Amy Smith  
Office of Air Quality, N1003  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Via email: [amsmith@idem.IN.gov](mailto:amsmith@idem.IN.gov)

***Re: Indiana's Infrastructure State Implementation Plan (SIP) Good Neighbor Element for the 2015 Ozone National Ambient Air Quality Standards (NAAQS)***

Dear Ms. Smith:

The Connecticut Department of Energy and Environmental Protection (DEEP) appreciates the opportunity to comment on Indiana Department of Environmental Management's (IDEM's) proposed State Implementation Plan (SIP) revisions regarding CAA section 110 requirements for the 2015 ozone standards. These SIP revisions, known as infrastructure SIPs, contain elements critical to solving ozone nonattainment problems, especially for areas such as Connecticut which is subject to some of the highest ozone concentrations measured in the eastern United States.

DEEP is concerned that IDEM has failed to prohibit sources within Indiana from contributing significantly to nonattainment in, or interfering with maintenance by, any other state with respect to the 2015 ozone standards. Contrary to statements made on page 6 of IDEM's proposed infrastructure SIP, emission reductions and emissions limits for large electric generating units (EGUs) and heavy industry non-EGUs are not sufficient to conclude that Indiana's statewide emissions do not contribute significantly to nonattainment or maintenance problems in downwind states. Unfortunately, for the reasons explained below, neither is IDEM's weight of evidence analysis sufficient to conclude that Indiana has fulfilled its good neighbor obligations under CAA section 110.

Modeling conducted by EPA for 2023 indicates that Indiana will continue to be linked to nonattainment receptors in Connecticut at least until 2023. According to EPA guidance, a state is a significant contributor to nonattainment if it is linked to a downwind state receptor and emissions from within the upwind state (i.e. Indiana) can be controlled cost effectively. IDEM has not shown that it cannot cost effectively control emissions within Indiana. In order to satisfy EPA policy, IDEM must conduct a cost analysis of potential emission reductions before it can conclude that Indiana does not significantly contribute to linked receptors.

IDEM has used several "flexibilities" in carrying out their weight of evidence analysis that undermine the confidence of their conclusions. For example, rather than using EPA's guidance that linkage is established at contributions of one-percent of the standard (0.7 parts per billion), IDEM establishes linkage only if Indiana's contribution exceeds 1 part per billion of ozone. This results in IDEM