

Appendix Z

RH SIP Public Participation Documentation

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LEGAL NOTICE OF PUBLIC HEARING

Draft Indiana Regional Haze State Implementation Plan for the Second Implementation Period

Note: Legal notices for public hearings are no longer published in newspapers, but can be found on the Indiana Department of Environmental Management's web site at:
<https://www.in.gov/idem/public-notices/>

Notice is hereby given under 40 Code of Federal Regulations (CFR) 51.102 that the Indiana Department of Environmental Management (IDEM) is accepting written comment and providing a public hearing regarding the *Draft Indiana Regional Haze (RH) State Implementation Plan (SIP) for the Second Implementation Period*. All interested persons are invited and will be given reasonable opportunity to express their views concerning the submittal of the draft RH SIP document and appendices.

The United States Environmental Protection Agency's (U.S. EPA's) RH Rule was adopted and published in the Federal Register (FR) on July 1, 1999 (64 FR 35714) and went into effect on August 30, 1999. The RH Rule requires states, in coordination with U.S. EPA, the Federal Land Managers (FLMs) consisting of the U.S. National Park Service, U.S. Fish and Wildlife Service, U.S. Forest Service, and other interested parties, to develop and implement air quality protection plans to reduce the pollution that causes visibility impairment in mandatory Class I Federal areas (Class I areas). A Class I area is one in which visibility is protected more stringently than under the national ambient air quality standards and includes national parks and wilderness areas of special national and cultural significance.

Indiana does not have any Class I areas. However, Indiana sources were determined to impact visibility in Class I areas in other states during the first and second planning periods. The final version of Indiana's RH SIP for the first implementation period was submitted on January 15, 2011 and supplemented with additional information on March 10, 2011. U.S. EPA took final action and fully approved Indiana's RH SIP for the first implementation period with an effective date of October 7, 2019. Pursuant to the requirements of 51.308(a) and (b), Indiana submits this SIP to meet the requirements of U.S. EPA's RH Rule for the second implementation period. Elements of this SIP address the core requirements pursuant to 40 CFR 51.308(f).

The draft document will be available for review on or before September 28, 2021, on the following web page:

<https://www.in.gov/idem/sips/regional-haze/>

Copies of the draft document will be made available on or before September 28, 2021, to any person upon request at the following locations:

- IDEM 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 Kappes Street, Indianapolis, Indiana, IN 46221.

Any person may submit written comments on the *Draft Indiana Regional Haze State Implementation Plan for the Second Implementation Period*. Written comments should be directed to:

Ms. Jean Boling
Indiana Department of Environmental Management
Office of Air Quality, Room 1003
100 North Senate Avenue
Indianapolis, Indiana 46204

Comments can also be submitted via fax (317) 233-5967 or e-mail at jboling@idem.IN.gov. Comments must be submitted by November 5, 2021. Interested parties may also present oral or written comments at the public hearing. 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.

A public hearing on the *Draft Indiana Regional Haze State Implementation Plan for the Second Implementation Period* will be held on October 28, 2021. The hearing will convene at 1:00 p.m. local time in Conference Room C at the Indiana Government Center South Building located at 302 West Washington Street, Indianapolis, Indiana 46204. Interested parties can check the online IDEM calendar at <http://www.in.gov/activecalendar/EventList.aspx> or contact Ms. Jean Boling at (317) 232-8228 to confirm the location and time of the hearing.

A transcript of the hearing and all written submissions provided at the public hearing shall be open to the public for 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. Jean Boling, 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) 232-8228 or (800) 451-6027 ext. 2-8244 (in Indiana).

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 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) 233-6565 (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

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

September 29, 2021

CERTIFICATE OF PUBLICATION

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

- Draft Indiana Regional Haze State Implementation Plan for the Second Implementation Period

was published on IDEM's web site on or before September 29, 2021. It is expected that it and the draft documents will remain posted until at least November 5, 2021, which is the end of the comment period.

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

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

The draft documents can be accessed through a link from the notice posting but are also available on IDEM's "Regional Haze" web page.

<https://www.in.gov/idem/sips/regional-haze/>

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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BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

- - -

HYBRID PUBLIC HEARING REGARDING
DRAFT INDIANA REGIONAL HAZE
STATE IMPLEMENTATION PLAN FOR
THE SECOND IMPLEMENTATION PERIOD

- - -

COPY

PROCEEDINGS

in the above-captioned matter, before Hearing
Officer Jean Boling, taken before me, Lindy L.
Meyer, Jr., a Notary Public in and for the State
of Indiana, County of Shelby, at the Indiana
Government Center South, Conference Center,
Room C, 402 West Washington Street, Indianapolis,
Indiana, on Thursday, October 28, 2021 at
1:04 o'clock p.m.

- - -

ACCURATE REPORTING OF INDIANA, LLC
543 Ponds Pointe Drive
Carmel, Indiana 46032
TELEPHONE: (317) 848-0088
EMAIL: accuratereportingofindiana@gmail.com

1 APPEARANCES:

2 ON BEHALF OF IDEM:

3 Jean Boling, Hearing Officer

4 Mark Derf

5 Scott Deloney

6 Susan Bem

7 Ryan Clem

8 Michael Finkelstein

9 SPEAKERS PRESENT:

10 Colin Deverell

11 Jean Webb

12 Susan Thomas

13 - - -

1 1:04 o'clock p.m.
2 October 28, 2021

3 - - -

4 THE HEARING OFFICER: Hello,
5 everyone. Can you hear me?

6 MR. CLEM: Go ahead and speak again.
7 I'll put it in the chat.

8 THE HEARING OFFICER: Hello,
9 everyone. Can you hear me?

10 (Discussion off the record.)

11 THE HEARING OFFICER: This is a
12 public hearing to provide interested persons an
13 opportunity to provide comments to the state
14 regarding the proposed revision to the Indiana
15 Implementation Plan, or SIP, for the Draft
16 Indiana Regional Haze State Implementation Plan
17 for the Second Implementation Period. This
18 hearing is being held to confirm -- this hearing
19 is being held to conform to the provisions of
20 40 Code of Federal Regulations, or CFR,
21 Part 51.102 regarding public hearings for SIP
22 submittals.

23 My name is Jean Boling. I am the
Environmental Engineer for the Air Programs

1 Branch of the Indiana Department of Environmental
2 Management's, or IDEM's, Office of Air Quality.

3 I have been appointed to act as Hearing Officer
4 for this public hearing. I would also like to
5 introduce Scott Deloney, Air Programs Branch
6 Chief; Mark Derf, Air Programs Section Chief for
7 the Technical Support and Modeling Section; and
8 Susan Bem, Air Programs Section Chief for the Air
9 Quality Planning Session. From the
10 Communications Branch, we also have Ryan Clem,
11 Director of Communications; and Mike Finkelstein,
12 Program Coordinator for the Office of Chief of
13 Staff. They are here to help with these
14 proceedings.

15 A sign-in sheet is located at the back of
16 the room for interested parties to be recognized
17 for participating in the hearing. For those
18 interested in providing comments today,
19 appearance cards have been distributed in the
20 hearing room. If you have not already filled out
21 a card, please do so, and indicate if you are
22 appearing for yourself or on behalf of a group or
23 organization, and identify such group or

1 organization. Also, note the capacity in which
2 you appear, such as attorney, officer or
3 authorized spokesperson.

4 On-line attendees and those participating
5 by phone will be given an opportunity to comment
6 as well, after in-person attendees have finished.

7 Any person who is heard or represented at
8 this hearing or who's requested notice may be
9 given written notice of the final action taken on
10 the SIP revision. Please indicate on the
11 appearance card if you wish to receive this
12 notification. When appearance cards have been
13 completed, they should be handed to Susan Bem,
14 and I will include them with the official record
15 of this proceeding.

16 Oral statements will be heard. Written
17 statements will be collected. Due to the
18 potential high volume of commenters, a time limit
19 of ten minutes will apply in order to ensure all
20 commenters are afforded opportunity to be heard.
21 I request that each commenter be mindful and
22 respectful of this time limit.

23 Scott Deloney will provide notification to

1 each commenter when one minute of the allotted
2 time remains, as well as when the allotted time
3 has lapsed. If time allows at the end of the
4 hearing, commenters who submitted appearance
5 cards and wish to add to their previous oral
6 statements may be able to submit additional
7 comments.

8 A written transcript of this hearing is
9 being made. The transcript will be open for
10 public inspection, and a copy of the transcript
11 will be made available to any person upon
12 request.

13 At this time, I would like to introduce
14 the following documents into record: First, the
15 notice of public hearing; and second, the draft
16 Indiana Regional Haze State Implementation Plan
17 for the Second Implementation Period.

18 Finally, I would like to briefly go over
19 the draft Indiana Regional Haze SIP for the
20 Second Implementation Period, referred to from
21 this point forward as the draft SIP.

22 The Regional Haze Rule provides a
23 regulatory framework within which states are

1 required to develop and implement SIP revisions
2 to protect -- to improve and protect visibility
3 in Class I areas and assure reasonable progress
4 towards meeting the national goal of natural
5 visibility conditions in Class I areas by the
6 year 2064.

7 A Class I Federal area is one in which
8 visibility is protected more stringently than
9 under the national ambient air quality standards,
10 and includes national parks and wilderness areas
11 of special national and cultural significance.
12 There are 156 mandatory Class I Federal areas
13 across the country.

14 The Regional Haze Rule requires states to
15 address regional haze in each Class I area
16 located within the state and outside the state
17 which may be affected by emissions from within
18 the state. Regional Haze SIP's must include
19 Class I area visibility improvement goals and
20 emission management strategies needed to reach
21 those goals.

22 The Regional Haze Rule -- the Regional
23 Haze Rule requires states with Class I areas to

1 establish reasonable progress goals for
2 visibility improvement at each affected Class I
3 area. The goals must provide for reasonable
4 progress toward achieving national -- natural
5 visibility conditions, provide for improvement in
6 visibility for the most impaired days over the
7 period of the implementation period, and ensure
8 no degradation in visibility for the least
9 impaired days over the same period in accordance
10 with 40 CFR 51.308(d)(1).

11 Although Indiana does not have any Class 1
12 areas, the Regional Haze Rule requires a state to
13 address regional haze in each Class I area
14 outside the state which can be affected by
15 emissions from within the state. Thus, this
16 document describes Indiana's consultation
17 process, technical analyses, and actions to be
18 pursued to reduce visibility impairment in
19 out-of-state Class 1 areas.

20 The draft SIP layout follows the SIP
21 development steps outlined in the Environmental
22 Protection Agency's, or EPA's, "Guidance on
23 Regional Haze State Implementation Plans for the

1 Second Implementation Period" document, dated
2 August 2019, referred to from this point forward
3 as the EPA Guidance Document.

4 The EPA developed this guidance to help
5 states develop approvable Regional Haze SIP's for
6 the Second Implementation period ending in 2028.
7 The EPA Guidance Document is intended to provide
8 recommendations reviews by states in developing
9 SIP submissions, and for EPA Regional Offices in
10 acting on them.

11 Section 3 of the draft SIP describes the
12 regional planning organizations and activities
13 involved in the SIP development process, which
14 was led by the Lake Michigan Air Directors
15 Consortium, or LADCO Regional Planning
16 Organization. Planning -- regional planning
17 included LADCO's six member states: Illinois,
18 Indiana, Michigan, Minnesota, Ohio, Wisconsin,
19 and tribes located within these states, the
20 Federal Land Managers consisting of the U.S.
21 National Park Service, U.S. Fish and Wildlife
22 Service and U.S. Forest Service, and the
23 Environmental Protection Agency, Region 5.

1 Indiana participated in extensive
2 technical analyses conducted by LADCO to
3 determine if any Class I areas have visibility
4 impairment that may be caused by sources within
5 the state for the second implementation period.
6 Details of these analyses can be found in LADCO's
7 Modeling and Analysis Technical Support Document,
8 or TSD, dated June 17th, 2021, attached in
9 Appendix L.

10 The EPA Guidance Document recommends
11 states conduct ambient data analyses in SIP
12 development Step 1 and determine affected areas
13 in other states in SIP development Step 2. The
14 results of these analyses conducted by LADCO
15 determined that emissions from Indiana can
16 potentially impact visibility at surrounding
17 Class 1 areas. Section 3.2 of the draft SIP
18 lists the Class 1 areas potentially impacted by
19 Indiana sources.

20 The Federal Land Managers are charged with
21 direct responsibility for management of Class 1
22 areas across the country. For this reason, the
23 provisions of 40 CFR 51.308(i) require

1 coordination between states and the Federal Land
2 Managers.

3 Section 3.3 of the draft SIP describes the
4 consultation process with Federal Land Managers
5 and interstate consultation with other states as
6 detailed in Section 3.4. Comments received from
7 the Federal Land Managers on Indiana's draft
8 Regional Haze SIP were summarized and included in
9 the final version of the SIP in Appendix U along
10 with IDEM's responses.

11 As previously mentioned, the results of
12 these analyses conducted by LADCO determined that
13 emissions from Indiana can potentially impact
14 visibility at surrounding Class I areas. As
15 such, assessment of baseline and natural
16 conditions at those Class I areas is critical to
17 estimating Indiana's visibility impacts.

18 SIP development guidance Step 3, Selection
19 of Sources for Analysis, begins with the task of
20 estimating baseline visibility impacts for source
21 selection purposes. Section 5 of the draft SIP
22 contains the assessment of baseline conditions
23 and estimate of natural conditions in Class 1

1 areas discussion.

2 The emissions inventory and contribution
3 assessment performed by LADCO for member states
4 demonstrated that nitrogen oxides, or NO_x, and
5 sulfur dioxide, or SO₂, emissions were the key
6 contributors to visibility impairment at Class I
7 areas in Northern Midwest region -- in the
8 Northern Midwest region and the focus of the
9 draft SIP technical analyses, and actions to be
10 pursued to reduce visibility impairment in
11 Class 1 -- in out-of-state Class 1 areas.

12 These determinations were made through the
13 work of the LADCO Regional Haze work group, as
14 mentioned in Section 5.1 of LADCO's Modeling and
15 Assessment TSD. Details of the modeling
16 assessment are outlined in Section 6 of the draft
17 SIP.

18 SIP development Step 3 is a critical step
19 in the SIP development process that includes a
20 number of tasks to be completed in accordance
21 with 40 CFR 51.308(f)(2). Indiana's source
22 selection process is described in detail in
23 Section 7 of the draft SIP. The EPA Guidance

1 Document states there are key flexibilities in
2 the regional haze program. One such flexibility
3 includes states not being required to evaluate
4 all sources of emissions in each implementation
5 period.

6 Section 40 CFR 51.308(f)(3) of the
7 Regional Haze Rule provides that if a state
8 contains sources whose emissions are reasonably
9 anticipated to contribute to visibility
10 impairment in a Class 1 area in another state for
11 which the reasonable progress goal is above the
12 uniform rate of progress glidepath, the state
13 must provide a robust demonstration that there
14 are no additional emission reduction measures
15 that would be reasonable to include in its own
16 long-term goal.

17 No robust demonstrations were necessary,
18 as the modeled reasonable progress goals at
19 Class I areas were below their respective uniform
20 rate of progress, as described in Sections 22
21 and 23 of the draft SIP and shown in the
22 glidepath graphs for out-of-state Class 1 areas
23 that may be affected by aggregate emissions from

1 Indiana.

2 SIP development Step 4, Characterization
3 of Factors for Emission Control Measures,
4 requires states to identify potential emission
5 control measures for selected sources and develop
6 data on the four statutory factors and on
7 visibility benefits if they will be considered.

8 Twenty sources met IDEM's source selection
9 criteria for the Regional Haze SIP four-factor
10 analysis: Eleven power generating stations with
11 coal-fired electric generating units, or EGU's,
12 and nine non-EGU sources. Indiana's approach for
13 this step involved conducting a reasonable
14 progress analysis for the state's EGU's and
15 four-factor analyses for the non-EGU point
16 sources selected.

17 The reasonable progress analysis, outlined
18 in Section 8 of the draft SIP, consists of
19 quantitative analysis of statewide NO_x and SO₂
20 emission reductions from Indiana's EGU fleet for
21 2007 through 2019, photochemical modeling using
22 2016 NO_x and SO₂ base-year modeled emissions for
23 all existing Indiana EGU's in 2016 to projected

1 2028 emissions; and source apportionment modeling
2 to assess visibility impacts from all EGU's in
3 Indiana. A more detailed version of these
4 analyses can be found in Appendix D of the draft
5 SIP.

6 IDEM evaluated cement kilns as a source
7 category for the four-factor analysis associated
8 with the two Portland cement manufacturing
9 facilities selected for evaluation in Section 10.
10 The selected sources' cement kilns were then
11 evaluated individually based on the best
12 available retrofit technologies selected for the
13 cement kiln source category in Section 11 of the
14 draft SIP. The detailed analyses, including the
15 cost estimate and cost effectiveness evaluation
16 for the cement kiln four-factor analysis, can be
17 found in Appendix G of the draft SIP.

18 The owners/operators of the remaining
19 seven sources selected for evaluation from the
20 iron and steel mills, aluminum and plastics
21 manufacturing, and electric utility sectors were
22 sent a request for information. The request for
23 information requested the companies submit a

1 four-factor analysis for the highest emitting NO_x
2 and SO₂ emission units at each selected source.

3 The emission units identified for NO_x
4 and/or SO₂ four-factor analysis were given -- were
5 chosen based on the units' reported 2018 NO_x and
6 SO₂ emissions. A summary of these analyses can be
7 found in Sections 13, 15, 17 and 19 of the draft
8 SIP. A more detailed analysis, cost estimates,
9 and cost effectiveness evaluations along with the
10 facilities' four-factor analysis of metals can be
11 found in Appendix I.

12 The Clean Air Act regulations controlling
13 NO_x and SO₂ emissions from the sources selected
14 for analyses -- analysis can be found in
15 Section 9 -- Sections 9, 10.6, 14, 16, 18 and 20.
16 The on-the-books controls implemented during the
17 first Regional Haze SIP planning period that
18 continue to provide NO_x and SO₂ emission
19 reductions from emission sources in Indiana are
20 discussed in Section 21.

21 For SIP development Step 6, Regional Scale
22 Modeling and the long-term strategy for -- and
23 the long-term strategy to set reasonable progress

1 goals for 2028, Indiana used photochemical
2 modeling provided by LADCO. The regional haze
3 modeling provided by LADCO is based on the 2016
4 emissions platform. This modeling predicted
5 the 2028 visibility levels, in both inverse
6 megameters and deciviews, at Class I areas
7 throughout the United States on the 20 percent
8 most anthropogenically impaired days.

9 A list of Class I areas LADCO modeled can
10 be found in Section 22. The regional haze
11 modeling results for Indiana are discussed in
12 Section 23, and the source apportionment modeling
13 for Indiana is discussed in Section 24.

14 LADCO's modeling results showed that all
15 Class 1 areas in the eastern U.S. of which
16 Indiana could impact are expected to be below the
17 uniform rate of visibility improvement for 2028.
18 This means the progress of emission reductions
19 throughout Indiana and the country over the past
20 two decades are providing visibility improvement
21 at all Class I areas in the eastern U.S.
22 potentially impacted by Indiana.

23 Section 26.1 details the substantial

1 emission reductions realized from all emission
2 sources throughout the state from 2007 through
3 2019. NO_x emission reductions totaled over 65
4 percent while SO₂ emission reductions equated
5 to 90 percent. Statewide EGU emission reductions
6 were 72 percent for NO_x and 92 percent reduction
7 for SO₂ from 2007 to 2019.

8 As for the second implementation period
9 for the Regional Haze Rule, visibility is better
10 than expected at this point in time, and
11 additional emission reductions anticipated in the
12 future will continue to realize even further
13 visibility improvements.

14 Indiana combined SIP Development Steps 5,
15 Decisions on What Control Measures are Necessary
16 to Make Reasonable Progress, and Step 7,
17 Progress, Degradations and Uniform Rate of
18 Progress glidepath checks using a weight of
19 evidence demonstration in Section 26.

20 As shown in Graph 26.2, Indiana's EGU's
21 have made considerable progress towards reducing
22 SO₂ and NO_x emissions as a result of advanced
23 control devices installed to comply with the

1 requirements of the Cross State Air Pollution
2 Rule and Mercury and Air Toxics Standards Rule,
3 and in anticipation of other federal programs
4 aimed at reducing SO₂ emissions from fossil fuel
5 fired EGU's to be phased in or implemented over
6 the course of the next few years.

7 In addition, coal-fired EGU's have less
8 overall generating capacity due to shutdowns, and
9 there is less pollution -- excuse me -- from
10 coal-fired EGU's due to the conversion of
11 existing units to natural gas and replacement of
12 existing units with new natural gas combined
13 cycle units.

14 Since EGU control programs to reduce SO₂
15 and NO_x emissions were determined to be most
16 effective in reducing visibility impacts,
17 significant reductions were expected and have
18 been achieved.

19 Other source categories have contributed
20 to emission reductions achieved throughout the
21 state as well. Control measures to be phased in
22 or implemented over the course of the next few
23 years that were not included in the modeling will

1 result in even greater reductions in future SO₂
2 and NO_x emission reductions.

3 For example, the Cross -- the revised
4 Cross State Air Pollution Rule update and other
5 regulations focused on reducing SO₂ and NO_x
6 emissions from fossil fuel fired EGU's and other
7 large sources impacting visibility at Class I
8 areas outside Indiana will allow Indiana to
9 continue to show improvement.

10 The control strategies that a company with
11 affected sources use to comply with these federal
12 programs will provide for sufficient SO₂ and NO_x
13 emission reductions to not only meet, but exceed
14 the 2028 visibility improvement goals for Indiana
15 as summarized in the regional haze modeling
16 results for Indiana in Sections 23, 24 and 25.

17 In summary, reductions in Indiana
18 emissions from the Best Available Retrofit
19 Technology Rule and other programs as well as
20 current and anticipated coal-fired boiler
21 retirements and shutdowns are sufficient to meet
22 the reasonable progress goals in other states.
23 However, to continue to assist those states in

1 meeting their reasonable progress goals and to
2 minimize its contribution to those states,
3 Indiana commits to the following actions:

4 1) Effectively enforce the existing
5 control measures with anticipated emission
6 reductions from the implementation of the revised
7 Cross State Air Pollution Rule Update.

8 No. 2) Work with U.S. EPA, other states,
9 and regional planning organizations to address
10 multi-pollutant air quality problems in the
11 eastern and northeastern U.S.

12 And 3) Continue consultation with states
13 with Class I areas to monitor their progress in
14 meeting their reasonable progress goals and
15 develop coordinated strategies, as and when
16 needed, to mitigate visibility impacts in those
17 areas.

18 In addition, the Regional Haze Rule
19 requires periodic reports evaluating progress
20 towards the reasonable progress goals established
21 for each mandatory Class 1 area. In accordance
22 with the requirements listed in 40 CFR 52.308(g)
23 of the Regional Haze Rule, Indiana commits to

1 submitting a report on reasonable progress to EPA
2 every five years following the initial submittal
3 of the SIP. The report will be in the form of a
4 SIP revision and is due by January 31st, 2025,
5 for the second implementation period.

6 This concludes my comments regarding the
7 Draft Indiana Regional Haze State Implementation
8 Plan for the Second Implementation Period.

9 Before opening this hearing for public
10 comments, may I once again remind you that this
11 hearing pertains to this draft SIP and only
12 comments germane to this matter will be
13 considered as part of the public record and
14 addressed within the agency's final action.

15 IDEM will not respond to or react to
16 comments or questions made while this hearing is
17 open for public testimony. Staff will be
18 available to address questions concerning this
19 matter once the hearing is closed.

20 The hearing is now open for public
21 comment. Are there any comments?

22 MR. DERF: So, we received four
23 requests for comments on-line. The first

1 commenter is Colin Deverell.

2 MR. DEVERELL: Thank you. Good
3 afternoon. My name is Colin Deverell, and I'm
4 the Midwest Senior Program Manager for the
5 National Parks Conservation Association. Thanks
6 to you, IDEM staff, for the opportunity to
7 comment on the Regional Haze State Implementation
8 Plan for the Second Implementation Period for
9 Indiana.

10 As you may know, NPCA is a national
11 nonpartisan nonprofit organization with 1.6
12 million members and supporters across the country
13 and over 20,000 members and supporters in the
14 State of Indiana. Indiana has three National
15 Park sites, and one of the country's newest
16 National Parks at Indiana Dunes National Park in
17 Northwest Indiana on Lake Michigan.

18 Although, as you all acknowledge, Indiana
19 does not have any Class 1 areas, air pollution
20 from the state does have a huge impact on air
21 quality in communities across the state and in
22 National Parks in other states, like Mammoth Cave
23 National Park in Kentucky.

1 The Clean Air Act Regional Haze Rule is an
2 effective program that results in real,
3 measurable and noticeable improvements in
4 National Park visibility and air quality. State
5 Implementation Plans developed under the Regional
6 Haze Rule are an opportunity, and indeed, an
7 obligation for states, including Indiana, to
8 reduce pollution from some of their biggest
9 sources and other contributors to regional
10 states.

11 The State Implementation Plan currently
12 proposed for Indiana falls short of meeting the
13 goals of the program and for clearing the air in
14 parks and communities. If the state submits this
15 plan as is to U.S. EPA, it will not comply with
16 the Clean Air Act and the Regional Haze Rule, as
17 it does nothing to limit new haze that's causing
18 pollution.

19 According to NPCA's analysis, coal plants
20 in Indiana account for 72 percent of the total
21 visibility impairing emissions in the state.
22 These sources will release more than 40,000 tons
23 of nitrous oxide, 50,000 tons of sulfur dioxide

1 in the next decade if further controls are not
2 required.

3 IDEM has arbitrarily exempted these
4 sources from a review of the emission-reducing
5 measures for this plan, period, and has failed to
6 evaluate the technically feasible controls for
7 noncoal-plant sources, such as steel mills like
8 those found in Northwest Indiana, and cement kiln
9 facilities. These two actions combined leave
10 Indiana's SIP woefully inept to make reasonable
11 progress towards clean air in Class 1 areas,
12 neighboring communities, and our National Parks.

13 Additionally, the plan fails to adequately
14 address equitably environmental justice impacts
15 as encouraged by EPA. The same sources of
16 pollution causing haze in our National Parks are
17 also disproportionately affecting the health of
18 communities near those sources. Communities that
19 are most often living below the poverty level are
20 communities affected.

21 Northwest Indiana is home to six sources
22 of concern, five of which are in Lake County,
23 comprised of 45 percent people of color, 17

1 percent of the community below the poverty line.
2 Communities like Whiting and Gary, which are
3 already facing water and land pollution, now in
4 addition to air, have borne these burdens for too
5 long. The health of these communities and those
6 across Indiana are affected by the same
7 pollutants the regional haze program is designed
8 to reduce.

9 Air pollution drives up health care costs
10 and makes it harder for kids to learn, play, and
11 for adults to work. By requiring additional
12 emission-reducing measures and technically
13 feasible controls, Indiana's SIP would have a
14 powerful impact on improving community health.

15 Specifically, NPCA requests that you:
16 One, fully analyze reasonable progress emission
17 controls for all coal plants in the state in this
18 planning period. It is commonplace for coal
19 plants to have scrubbers that reduce upwards
20 of 98 percent of emissions and selected catalytic
21 reduction systems to reduce 95 percent of
22 emissions in nitrogen oxides. Indiana cannot
23 disregard these controls or upgrades to those

1 facilities that have already installed them and
2 their performance.

3 Secondly, evaluate all applicable controls
4 for nonpower-plant sources and correct the cost
5 of control calibrations.

6 Thirdly, thoroughly assess environmental
7 justice impact.

8 And fourthly, set enforceable requirements
9 from any sources being counted on for pollution
10 reduction.

11 Thank you for your time, and I look
12 forward to reviewing the improvements to this
13 plan.

14 MR. DERF: All right. Thank you,
15 Colin. I appreciate that.

16 I have -- and just a reminder. If you do
17 provide oral comments, you can e-mail those to
18 jeanboling@idem.in.gov as well.

19 Our next commenter is Jean Webb.

20 MS. WEBB: Hi. Thank you.

21 I'm a resident of Evansville, Indiana, and
22 I want to thank you for allowing me to speak. I
23 have treasured photos of myself and my family at

1 Mammoth Park, and I took my children when they
2 were young there, and I look forward to taking my
3 granddaughter there, so I would like Mammoth Cave
4 protected, but I also would like my own community
5 protected also.

6 I thought the success of the regional haze
7 program was already achieved, and I really want
8 to refer to Figure 5.1. If you look at that, you
9 can see the great gains that the program has
10 made, but as you'll see, Mammoth Cave is still in
11 the dirtiest section of the nation, and where I
12 live in Evansville, Indiana, it's still in the
13 dirtiest section of the nation.

14 Whereas there's a couple of areas, both
15 North and South Carolina, have moved from the
16 dirtiest to much greater improvement. I'd like
17 to see Indiana make that much gain also.

18 I have an issue because there seems to be
19 two problems with the local pollutants that I see
20 every day when I walk on the Newburgh Riverfront.
21 There was an error about the continuing
22 operations of Warrick Ford. There is an error
23 that they didn't realize that there would be an

1 operations beyond 2023, and so that wasn't
2 included in the 2021 report, and they say that
3 they're going to update it in 2025.

4 Well, to me, that's personal, that's our
5 lungs, that's my granddaughter's development.
6 That's not acceptable, in my view, that before
7 you continue, you need to do all of the data to
8 look at Warrick Ford continuing beyond 2023, so
9 that book shouldn't give them an excuse to have a
10 delayed review of what they need to do.

11 I'm particularly concerned about NO_x. It
12 seems that SO_x has dropped, but not NO_x, and
13 especially with climate change and higher
14 humidity levels, that same amount of NO_x that's
15 coming out of those pollutant sources are going
16 to stay at ground level and be even more
17 dangerous.

18 I also -- if you look at Warrick County
19 power plants, not Warrick Ford, but the power
20 plants, as you see in the report, at first there
21 was an announcement, and they thought, "Well,
22 those are -- those are closing in 2016." It
23 looked like the smelters were closing. But then

1 Warrick changed their mind, Alcoa changed their
2 mind, and now they are operating. So, there
3 again, it's giving Alcoa more time to pollute.

4 So, I just want to point out that these
5 oversights happened, retirements that they say
6 are going to happen, don't happen, and that's
7 giving them more pollution. And so, besides me
8 wanting you to go back and take a look at Alcoa,
9 who hasn't had any -- I looked at Table 2.2,
10 where it shows that there have been no additional
11 controls on Alcoa power plants since before 2007,
12 and it looks like they're putting out just as
13 much NO_x as they ever have. So, I'd like that to
14 be looked at.

15 But just in general, these mistakes happen
16 because they say they're going to close, or you
17 mistakenly think they're going to close, and they
18 don't, and that's why I want you to look at all
19 power sources and analyze them and look at their
20 pollution controls and don't depend on
21 nonbound -- binding retirement announcements,
22 because things change, and then they get more
23 time to complete -- more time to pollute.

1 So, please, make a plan, because gas
2 prices are increasing. I could very well see
3 these coal plants pushing out their retirement
4 dates. So, please analyze them. Don't accept a
5 nonbounding retirement plan as any excuse.

6 And also, as I make these requests, I have
7 to lift up a fellow environmentalist who passed
8 in 2019, Bill Musgrave, who came to IDEM many
9 times over the years to talk about pollution and
10 toxic emissions that came from those Alcoa
11 plants. So, with a thought to Bill Musgrave,
12 please, please analyze them and see what they can
13 do to improve things, and don't wait until 2025
14 to do that.

15 So, thank you. Help protect Mammoth Cave,
16 help to protect my granddaughter's lungs, and do
17 all you can to look at the Alcoa and Warrick Ford
18 pollution sources in this area.

19 Thank you.

20 MR. DERF: All right. Thank you,
21 Jean.

22 Our next commenter is Heidi Hess.

23 (Discussion of the record.)

1 MR. DERF: We're not able to hear you
2 yet, Heidi.

3 MS. BEM: Do you want to come back to
4 her, maybe?

5 MR. DERF: We may have to, yeah.

6 MR. DELONEY: Mark, since Jean is
7 still on, would you mind just seeking
8 clarification? She was representing herself, not
9 an organization?

10 MR. DERF: Correct.

11 Jean, you were representing yourself?

12 MS. WEBB: Yes, that's true.

13 MR. DELONEY: Thanks.

14 MR. DERF: Thank you.

15 MR. CLEM: Okay. Heidi said she'll
16 pass along and submit her testimony in writing.

17 MR. DERF: Okay. Okay. Very good.

18 All right. The next commenter is Susan
19 Thomas.

20 MS. THOMAS: Good morning. Can you
21 hear me?

22 MR. DERF: Yes, we can.

23 MS. THOMAS: Great. Thank you so

1 much for allowing me to speak. My name is Susan
2 Thomas. I'm with Just Transition, Northwest
3 Indiana. I'm also a resident of Beverly Shores,
4 which is located right in the middle of the
5 National Park. I will make my comments brief.

6 IDEM is saying that no reductions in air
7 pollution are warranted at this time, and yet all
8 you have to do is do a quick Google search to see
9 that Indiana, according to EPA, is number one in
10 toxic pollution, and depending on your source,
11 we're always in the top five for air pollution in
12 the United States.

13 This is an environmental justice issue.
14 Folks from Gary to Michigan City, these are
15 largely communities of color, where people are
16 struggling on a daily basis to get their daily
17 needs met. This is not okay anymore. We know
18 better now. Let's do better.

19 Lastly, all coal plants are exempted from
20 a review of emission-reducing measures during
21 this planning period. I think the optics of this
22 look really terrible. This looks like IDEM is
23 handing over the keys to the environmental safety

1 to industry. We really need in Indiana to get
2 rid of this false choice of environment versus
3 economy. They're interdependent.

4 The National Park -- the tourism dollars
5 that the park brings in is millions and millions
6 to the benefit of the state, so we cannot
7 continue to think industry has to rule because
8 it's jobs. There are more jobs in cleaning up
9 the environment than union jobs, in cleaning up
10 the environment and maintaining a cleaner
11 environment for everyone than the status quo that
12 we're currently -- is really failing our health,
13 our communities, and our environment.

14 Lastly, I'd like to say, as someone who
15 enjoys our National Park, I don't know how
16 many -- IDEM knows this, but for some of our
17 listeners, the ecosystem in our National Park is
18 unique in the universe. There is nothing like it
19 on the planet, and that is scientifically fact.

20 When we have the vast amount of haze that
21 we have here, it impacts photosynthesis, and that
22 is proven. The photosyn -- these plant systems,
23 they're already struggling because they're --

1 many of them are situated on toxic sites from
2 industry's leftovers, and those are in the
3 process of getting cleaned up, and certainly not
4 completely, and we're hoping that those will get
5 cleaned up completely.

6 But the plant life is struggling with the
7 soil; the water, which is also being polluted
8 from toxic coal ash, the groundwater; and the air
9 as well. So, it's a triple threat to the plant
10 life that is unique on the planet here in
11 Indiana, and we must, must, safeguard this, for
12 now and generations to come, and make that more
13 of a thriving ecosystem rather than a struggling
14 one. That is of the utmost importance.

15 And again, like -- I will close with: Let
16 us no longer cling to the false choice of
17 industry and jobs versus environment and ecology.
18 They co-exist. They can co-exist beautifully for
19 the benefit of our state, the benefit of our
20 nation, and in fact the global benefit.

21 Thank you very much for allowing me to
22 speak.

23 MR. DERF: All right. Thank you,

1 Susan.

2 That is all of the on-line commenters that
3 we have at this time. We would like to now
4 address any phone comments. Is there anyone who
5 would wish to make a comment by phone?

6 (No response.)

7 MR. CLEM: I don't see anybody.

8 MR. DERF: Okay. Not hearing
9 anybody, I guess this would be a last call for
10 any on-line comments.

11 (No response.)

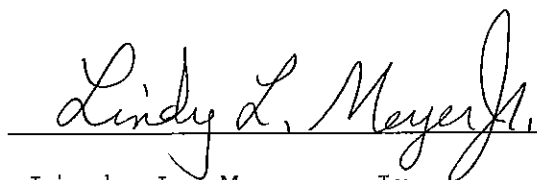
12 THE HEARING OFFICER: In the absence
13 of any further comments, these proceedings are
14 hereby concluded. Just a reminder, written
15 comments on Indiana's Regional Haze State
16 Implementation Plan are due by November 15th,
17 2021.

18 This hearing is adjourned. Thank you.

19 - - -
20 Thereupon, the proceedings of
21 October 28, 2021 were concluded
22 at 1:45 o'clock p.m.
23 - - -

1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned
3 Court Reporter and Notary Public residing in the
4 City of Shelbyville, Shelby County, Indiana, do
5 hereby certify that the foregoing is a true and
6 correct transcript of the proceedings taken by me
7 on Thursday, October 28, 2021 in this matter and
8 transcribed by me.

9
10 

11 Lindy L. Meyer, Jr.,

12 Notary Public in and

13 for the State of Indiana.

14
15 My Commission expires August 26, 2024.

16 Commission No. NP0690003
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