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**TITLE 329 SOLID WASTE MANAGEMENT DIVISION**

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**CONTINUATION OF SECOND NOTICE OF COMMENT PERIOD**

LSA Document #21-458

**COAL COMBUSTION RESIDUALS****PURPOSE OF NOTICE**

A Second Notice of Comment Period was published on December 21, 2022, in the Indiana Register (DIN: [20221221-IR-329210458SNA](#)) concerning amendments to rules at [329 IAC 10-3-1](#), [329 IAC 10-3-4](#), and [329 IAC 10-9-1](#), and the addition of a new article at [329 IAC 14](#), concerning the establishment of a state permitting program for coal combustion residuals (CCR). In response to requests, the Indiana Department of Environmental Management (IDEM) is providing an additional sixty (60) days for submission of comments on the rulemaking. Comments submitted to IDEM from the original Second Notice of Comment Period are considered part of the formal written comment period. With this notice, IDEM seeks comment on the affected citations listed and any other provisions of Title 329 that may be affected by this rulemaking.

**HISTORY**

First Notice of Comment Period: October 13, 2021, Indiana Register (DIN: [20211013-IR-329210458FNA](#)).

Second Notice of Comment Period: December 21, 2022, Indiana Register (DIN: [20221221-IR-329210458SNA](#)).

Notice of Public Hearing: December 21, 2022, Indiana Register (DIN: [20221221-IR-329210458PHA](#)).

**CITATIONS AFFECTED:** [329 IAC 10-3-1](#); [329 IAC 10-3-4](#); [329 IAC 10-9-1](#); [329 IAC 14](#).

**AUTHORITY:** [IC 13-14-8-7](#); [IC 13-15-2-1](#); [IC 13-19-3-1](#); [IC 13-19-3-3](#).

**SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING****Basic Purpose and Background**

IDEM is not adding, deleting, or changing the purpose of the rulemaking or draft rule as published at DIN: [20221221-IR-329210458SNA](#). IDEM is proposing to amend rules at [329 IAC 10-3-1](#), [329 IAC 10-3-4](#), and [329 IAC 10-9-1](#), and add a new article at [329 IAC 14](#), concerning the establishment of a state permitting program for coal combustion residuals (CCR).

IDEM seeks comment on the affected citations listed, including suggestions for specific language, any other provisions of Title 329 that may be affected by this rulemaking, and alternative ways to achieve the purpose of the rulemaking.

**REQUEST FOR PUBLIC COMMENTS**

This notice requests the submission of comments on the draft rule language, including suggestions for specific revisions to language to be contained in the draft rule. Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:

LSA Document #21-458 Coal Combustion Residuals  
Keelyn Walsh  
Rules Development Branch  
Office of Legal Counsel  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

- (2) By electronic mail to [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov). To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the address indicated in this notice.**

Contact Karla Kindrick at [kkindric@idem.in.gov](mailto:kkindric@idem.in.gov) or (317) 232-8922 if another method of submitting comments within the comment period is desired. Regardless of the delivery method used, in order to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking.

**COMMENT PERIOD DEADLINE**

All comments must be postmarked or time stamped not later than March 19, 2023.

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

Christine Pedersen  
Rules Development Section  
Office of Legal Counsel

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