

**TITLE 326 AIR POLLUTION CONTROL DIVISION****Final Rule**

LSA Document #20-10(F)

**DIGEST**

Amends [326 IAC 1-4-11](#) and [326 IAC 1-4-23](#) to correct effective dates for Clark and Floyd counties for the 2012 annual particulate matter with a diameter of 2.5 microns or less (PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS). Amends [326 IAC 1-4-46](#) and [326 IAC 1-4-65](#) to reclassify Lake and Porter counties from "moderate" to "serious" nonattainment for the 2008 8-hour ozone NAAQS and to correct effective dates for the 2012 PM<sub>2.5</sub> NAAQS. Amends [326 IAC 1-4-85](#) to update the designation status for Vigo County from "nonattainment" to "attainment" for the 2010 primary 1-hour sulfur dioxide (SO<sub>2</sub>) NAAQS. Effective 30 days after filing with the Publisher.

**HISTORY**

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#) and Draft Rule: January 29, 2020, Indiana Register (DIN: [20200129-IR-326200010FDA](#)).

Notice of Public Hearing: January 29, 2020, Indiana Register (DIN: [20200129-IR-326200010PHA](#)).

Change in Notice of Public Hearing: July 29, 2020, Indiana Register (DIN: [20200729-IR-326200010CHA](#)).

Date of Public Hearing: September 9, 2020.

[326 IAC 1-4-11](#); [326 IAC 1-4-23](#); [326 IAC 1-4-46](#); [326 IAC 1-4-65](#); [326 IAC 1-4-85](#)

SECTION 1. [326 IAC 1-4-11](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-11](#) Clark County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 11. The following attainment status designations are applicable to Clark County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Marginal nonattainment effective August 3, 2018, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable <b>or attainment</b> effective <del>April 15, 2015</del> , <b>January 28, 2019</b> , for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

(Air Pollution Control Division; [326 IAC 1-4-11](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed Jul 16, 2018, 1:17 p.m.: [20180815-IR-326180001FRA](#); filed Oct 1, 2019, 9:40 a.m.: [20191030-IR-326190083FRA](#); filed Jan 15, 2021, 12:51 p.m.: [20210210-IR-326200010FRA](#))

SECTION 2. [326 IAC 1-4-23](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-23](#) Floyd County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 23. The following attainment status designations are applicable to Floyd County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Marginal nonattainment effective August 3, 2018, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable <b>or attainment</b> effective <del>April 15, 2015</del> , <b>January 28, 2019</b> , for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

(Air Pollution Control Division; [326 IAC 1-4-23](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed Jul 16, 2018, 1:17 p.m.: [20180815-IR-326180001FRA](#); filed Oct 1, 2019, 9:40 a.m.: [20191030-IR-326190083FRA](#); filed Jan 15, 2021, 12:51 p.m.: [20210210-IR-326200010FRA](#))

SECTION 3. [326 IAC 1-4-46](#) IS AMENDED TO READ AS FOLLOWS:

### [326 IAC 1-4-46](#) Lake County

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#)

Sec. 46. The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148 <sup>th</sup> Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O <sub>3</sub>	<del>Moderate</del> <b>Serious</b> nonattainment effective <del>June 3, 2016</del> , <b>September 23, 2019</b> , for the 2008 8-hour ozone standard.
O <sub>3</sub>	Marginal nonattainment effective August 3, 2018, for the 2015 8-hour ozone standard for Calumet Township, Hobart Township, North Township, Ross Township, and St. John Township. Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard for the remainder of the county.
PM <sub>2.5</sub>	Unclassifiable <b>or attainment</b> effective <del>April 15, 2015</del> , <b>January 28, 2019</b> , for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

(Air Pollution Control Division; [326 IAC 1-4-46](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Oct 15, 2010, 1:51 p.m.: [20101110-IR-326100342FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed Jul 16, 2018, 1:17 p.m.: [20180815-IR-326180001FRA](#); filed Oct 1,

SECTION 4. [326 IAC 1-4-65](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-65](#) Porter County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#)

Sec. 65. The following attainment status designations are applicable to Porter County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Moderate</del> <b>Serious</b> nonattainment effective <del>June 3, 2016</del> , <b>September 23, 2019</b> , for the 2008 8-hour ozone standard.
O <sub>3</sub>	Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable <b>or attainment</b> effective <del>April 15, 2015</del> , <b>January 28, 2019</b> , for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

(Air Pollution Control Division; [326 IAC 1-4-65](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Oct 15, 2010, 1:51 p.m.: [20101110-IR-326100342FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed Jul 16, 2018, 1:17 p.m.: [20180815-IR-326180001FRA](#); filed Oct 1, 2019, 9:40 a.m.: [20191030-IR-326190083FRA](#); filed Jan 15, 2021, 12:51 p.m.: [20210210-IR-326200010FRA](#))

SECTION 5. [326 IAC 1-4-85](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-85](#) Vigo County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 85. The following attainment status designations are applicable to Vigo County:

Pollutant	Designation
SO <sub>2</sub>	<del>Nonattainment</del> <b>Attainment</b> effective <del>October 4, 2013</del> , <b>July 8, 2019</b> , for the 2010 SO <sub>2</sub> standard for Fayette and Harrison townships. <del>Better than national standards</del> <b>Unclassifiable or attainment effective April 9, 2018</b> , for the remainder of the county.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective January 16, 2018, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective April 15, 2015, for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.

NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

(Air Pollution Control Division; [326 IAC 1-4-85](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed May 14, 2014, 10:59 a.m.: [20140611-IR-326130502FRA](#); filed Jul 16, 2018, 1:17 p.m.: [20180815-IR-326180001FRA](#); filed Oct 1, 2019, 9:40 a.m.: [20191030-IR-326190083FRA](#); filed Jan 15, 2021, 12:51 p.m.: [20210210-IR-326200010FRA](#))

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Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20200129-IR-326200010FDA](#)

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Small Business Regulatory Coordinator: Angela Taylor, IDEM Small Business Regulatory Coordinator/CTAP

Small Business Liaison, IGCN 1316, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 233-0572 or (800) 988-7901, [ctap@idem.in.gov](mailto:ctap@idem.in.gov)

Small Business Assistance Program Ombudsman: Erin Moorhous, IDEM Small Business Assistance Program Ombudsman/Business, Agricultural, and Legislative Liaison, IGCN 1301, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 232-8921 or (800) 451-6027, [emoorhou@idem.in.gov](mailto:emoorhou@idem.in.gov)

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