

Document: IC 13-14-9 Notice

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TITLE 326 AIR POLLUTION CONTROL BOARD

FIRST NOTICE OF COMMENT PERIOD #00-236(APCB)

DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING SULFUR DIOXIDE (SO₂) EMISSION LIMITATIONS IN LAKE COUNTY

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to rules concerning sulfur dioxide (SO₂) emission limitations in Lake County, Indiana. Additionally, IDEM may identify changes that are required to correct and update information associated with the Lake County table in 326 IAC 7-4-1.1. Such changes may include providing updates to company names, emission limits currently in permits, or other descriptive information. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

CITATIONS AFFECTED: 326 IAC 7-4-1.1.

AUTHORITY: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Pursuant to Section 107 of the Clean Air Act (CAA), portions of Lake County are currently designated as primary nonattainment for sulfur dioxide (SO₂). There are numerous sources in Lake County that emit SO₂, including steel mills, an oil refinery, and other industrial processes. These companies all have SO₂ limits established in 326 IAC 7-4-1.1.

Air quality in Lake County has improved significantly in the past two (2) decades and SO₂ levels measured at monitors in Lake County have been no more than sixty percent (60%) of the health standard for at least ten (10) years. IDEM intends to move forward with the steps necessary to seek redesignation of Lake County to attainment status. One (1) of those steps is to revise the emission limits in the rule so that air quality modeling will show attainment of the standard throughout the entire county.

IDEM has spent the past several years working with SO₂ sources in Lake County to update and correct model inputs, including updated emission rates, source closures, hours of operations, and other information for inclusion into the modeling. However, based upon current data and modeling run analyses, the model still shows exceedances of the 24-hour and annual SO₂ standard in some receptor areas.

To redesignate an area to attainment, modeling must show attainment. An analysis of the various modeling scenarios conducted indicates site-specific strategies that focus on individual sources will be more effective than the implementation of broad countywide limits. The SO₂ rules for Lake County at 326 IAC 7-4-1.1 establish emission limitations for each SO₂ source in the county. Although emission rates are specified for several SO₂ sources in Lake County, those sources whose SO₂ emissions have been specifically identified as likely causing exceedances of the NAAQS include American Steel, BP Amoco, Inland Steel, LTV Steel, Marblehead Lime, Unilever, and U.S. Steel. IDEM desires to work with the affected companies, the public and U. S. EPA Region V to develop a control strategy that can demonstrate protection of the SO₂ ambient standards in the area.

Since the last time the rule was amended, certain companies listed in the table in 326 IAC 7-4-1.1 have received permits with new or updated information or emission limits. It is IDEM's intent to update the rule to reflect the current information in the permits.

IDEM seeks comment from interested parties on this rulemaking, including ways to achieve the SO₂ emission reductions required to demonstrate attainment.

STATUTORY AND REGULATORY REQUIREMENTS

IC 13-14-8-4 requires the board to consider the following factors in promulgating rules:

- (1) All existing physical conditions and the character of the area affected.
- (2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- (3) Zoning classifications.
- (4) The nature of the existing air quality or existing water quality, as the case may be.
- (5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- (6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

REQUEST FOR PUBLIC COMMENTS

At this time, IDEM solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.

Comments, whether mailed, hand delivered, or faxed, should be addressed as follows:

#00-236(APCB) Sulfur Dioxide Emission Limitations in Lake County

Kathryn A. Watson, Chief

Air Programs Branch

Office of Air Management

Indiana Department of Environmental Management

P.O. Box 6015

Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the receptionist on duty at the tenth floor reception desk, Office of Air Management, 100 North Senate Avenue, Indianapolis, Indiana, Monday through Friday, between 8:15 a.m. and 4:45 p.m.

Comments may be submitted by facsimile at the IDEM fax number: (317) 233-2342, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rules Development Section at (317) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, hand delivered, or faxed by November 30, 2000.

Additional information regarding this action may be obtained from Chris Pedersen, Rules Development Section, Office of Air Management, (317) 233-6868 or (800) 451-6027, press 0, and ask for extension 3-6868 (in Indiana).