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## **TITLE 326 AIR POLLUTION CONTROL BOARD**

### **SECOND NOTICE OF COMMENT PERIOD**

**#99-265(APCB)**

## **DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING PROCESS WEIGHT RATES**

### **PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to rules at 326 IAC 6-3 concerning particulate emission limits for process operations. By this notice, IDEM is soliciting public comment on the draft rule language. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

### **HISTORY**

First Notice of Comment Period: January 1, 2000, Indiana Register (23 IR 926).

**CITATIONS AFFECTED:** 326 IAC 6-3.

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

### **SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING**

In 1968, the Indiana Department of Environmental Management (IDEM) promulgated rules, found at 326 IAC 6-3, limiting particulate matter emissions for process operations. According to the definition at 326 IAC 1-2-58, a "process" is an action, operation, or treatment and the equipment used in connection with it, and all methods or forms of manufacturing or processing that may emit air contaminants. For the purposes of 326 IAC 6-3, process operations include surface coating, fiberglass lamination, shot blasting, sand blasting, woodworking, grinding, metalworking, torch cutting, welding, and any process that has the potential to emit particulate matter into the atmosphere.

The current rule restricts particulate emissions, for almost all operations, by providing equations for sources to calculate allowable emission rates. The allowable emission rates are based on process weight rates, and process weight rates are based on the total weight of all material introduced into any source operation. For convenience, the table in 326 IAC 6-3-2(e) shows allowable emission rates, calculated using the equations provided, for various process weight rates up to six million (6,000,000) lbs/hr. Most process operations are currently subject to these emission rates.

The table's lowest listed process weight rate is one hundred (100) lbs/hr and its calculated allowable emission rate is five hundred fifty-one thousandths (0.551) lb/hr. Emission limitations for process weights of less than one hundred (100) lbs/hr are not specifically addressed in the existing rules, but also are not excluded. IDEM proposes amending 326 IAC 6-3 to make clear that sources with process weight levels below one hundred (100) lbs/hr shall limit their particulate emissions to five hundred fifty-one thousandths (0.551) lb/hr, the lowest allowable rate. In addition, IDEM has corrected several miscalculations in the table at 326 IAC 6-3-2(e).

IDEM intends to exempt processes with extremely low particulate matter emissions from this rule. IDEM seeks suggestions for specific processes, as opposed to a numerical threshold, to be listed as exemptions to the rule. Some of the processes listed in the definitions of "insignificant activity" (326 IAC 2-7-1(21)) and "trivial activity" (326 IAC 2-7-1(40)), such as office equipment, may be appropriate.

This rulemaking does not affect sources or facilities subject to the particulate matter limitations in 326 IAC 6-1 or to particulate emissions limitations for sources of indirect heating in 326 IAC 6-2.

This rule is subject to the sunset provisions of IC 13-4-9.5, which provides for the expiration and reoption of administrative rules. The rule will, therefore, expire on January 1, 2002, unless the rule is adopted with amendments or reoptioned as is prior to that time.

### **SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD**

IDEM requested public comment from January 1, 2000, through January 31, 2000, on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received comments from the following parties by the comment period deadline:

American Electric Power, (AEP)  
Bethlehem Steel Corporation, by Barnes & Thornburg, (BSC)  
Carriage, Inc., by Barnes & Thornburg, (Carriage)  
Charleston Corporation, by Barnes & Thornburg, (Charleston)  
Eli Lilly and Company, (Lilly)  
General Electric Plastics, (GE)  
Glaval Corporation, by Barnes & Thornburg, (Glaval)  
Hoosier Energy Rural Electric Cooperative, (HEREC)  
Indiana Electric Utility Air Work Group, (IEUAWG)  
Indiana University, (IU)  
Indianapolis Power & Light Company, (IPL)  
Monaco Coach Corporation, (Monaco)  
Richmond Power & Light, by Barnes & Thornburg, (RPL)  
Southern Indiana Gas And Electric Company, (SIGECO)

Following is a summary of the comments received and IDEM's responses thereto:

**Smaller sources/insignificant activities/de minimis**

*Comment:* The air pollution control board should not modify the rule to address smaller sources. (Monaco)

*Comment:* The intent of the rule has always been to exempt low-emitting processes. That is why there isn't a limit currently established. In addition, emission limits for small sources would conflict with the IDEM permitting program. If sources are exempt from permitting, they should be exempt from the requirements of 326 IAC 6-3. (BSC) (RPL)

*Comment:* An enforcement branch [Dept. of Health] memo dated June 14, 1976, states that "[a] process whose emissions are small enough to be exempt under Section 4 of APC 19 will be assumed to be in compliance unless a nuisance is shown, a NESHAPS standard applies, or a health hazard is indicated." (Monaco) (Carriage) (Glaval) (Charleston)

*Comment:* We recommend that IDEM formally add to the rule the historic application of the rule, i.e. that it is not applicable to small sources. If not, then we recommend that IDEM make a special provision for units that have not traditionally been regulated by this rule, in the following ways: (1) IDEM should not require compliance monitoring for units with process weight rates less than one hundred (100) lbs/hr and should not re-open past permit decisions as a result of this rule change. (2) This rule change should not have an impact on the status of processes that are identified as "insignificant activities" under the Title V permit rules. (3) For processes located at Title V sources, IDEM should clearly identify in the rule what data and information must be provided as part of an annual compliance certification. (4) IDEM must provide the opportunity, without enforcement repercussions, for a source owner or operator to revise permit applications based on previous agency guidance if the applicant did not identify a process with a process weight rate less than one hundred (100) lbs/hr. (SIGECO) (HEREC) (AEP) (IPL) (IEUAWG)

*Response:* It has not been IDEM's intent for this rule to exempt processes with emissions less than one hundred (100) lbs/hr. However, IDEM will not re-open past permit decisions as a result of this rule change. In situations where a source owner or operator did not previously identify a process with a process weight rate of less than one hundred (100) lbs/hr, IDEM will allow the source the opportunity, without enforcement repercussions, to revise permit applications based on previous agency guidance.

Compliance monitoring is addressed in 326 IAC 3. IDEM is in the process of reviewing and amending the compliance monitoring rules, and a draft rule, with a request for comments, will be published in the near future in the Indiana Register.

With these amendments, IDEM intends to exempt processes with extremely low particulate matter emissions, such as office equipment, from this rule. IDEM is seeking suggestions for specific processes, as opposed to a numerical threshold, to be listed as exemptions to the rule. Some of the processes listed in the definitions of "insignificant activity" (326 IAC 2-7-1(21)) and "trivial activity" (326 IAC 2-7-1(40)) may be appropriate.

*Comment:* 326 IAC 6-3-2(c) currently excludes processes of less than one hundred (100) lbs/hr. Expanding the scope of the rule would result in little or no reduction in particulate matter emissions. A de minimis activity exemption should be included in the rule. (Lilly) (Monaco) (Carriage) (Glaval) (Charleston) (IU)

*Comment:* IDEM refuses to recognize the current rule's plain establishment of a de minimis cutoff for applicability at process weight rates of less than one hundred (100) lbs/hr. (GE)

*Comment:* The rule must have some kind of applicability threshold. Possible alternatives include processes listed as exempt in 326 IAC 2-1.1-3, processes that are Title V insignificant or trivial activities, or processes with potential to emit less than ten (10) tons/yr of particulate matter. (Lilly)

*Comment:* The definition of "air contaminant source" at IC 13-11-2-4 includes single and multiple family residences, schools, and garages, so that this rule revision to cover process weight rates of less than one hundred (100) lbs/hr would extend over hobbyists, school shops, backyard charcoal grills, and numerous other activities. This is absurd, and the proposal should be withdrawn. (Monaco) (Carriage) (Glaval) (Charleston)

*Comment:* The revision would affect office equipment such as pencil sharpeners and paper shredders. (Lilly)

*Comment:* Regulating all processes would make the rule apply to activities such as mixing a bag of cement and drilling a hole in a wall, and would require a compliance certification. (IU)

*Response:* The current rule does not does not exclude processes with process weight rates of less than one hundred (100) lbs/hr. However, IDEM intends to exempt processes with extremely low particulate matter emissions from this rule, as discussed above.

*Comment:* The emission limits should only apply to air pollutants for which there is a national ambient air quality standard (NAAQS). This rule will be part of the state implementation plan (SIP), and its purpose is to protect human health and the environment. U.S. EPA has determined that only a portion of total particulate emissions needs to be controlled in order to protect human health and the environment. Therefore, only emissions for which U.S. EPA has established NAAQS should be addressed by this regulation. (BSC)

*Comment:* Emission limits in 326 IAC 6-3 should only apply to air pollutants in the NAAQS. Low-emitting processes do not threaten the NAAQS and are not subject to prevention of significant deterioration, new source review, or state permitting requirements. (BSC) (RPL)

*Comment:* Since small processes will emit particulate matter larger than 2.5, and since most of Indiana is in compliance with the particulate matter less than ten microns (PM<sub>10</sub>) NAAQS, there is no compelling air quality reason to subject small processes to the rule's requirements. (Lilly)

*Comment:* 326 IAC 6-3 provides little or no actual air quality benefits and should be repealed. The rule regulates TSP, which is no longer a "criteria" pollutant. (Monaco) (Carriage) (Glaval) (Charleston)

*Response:* IDEM disagrees that only emissions for which U.S. EPA has established NAAQS should be addressed by this rule; the state implementation plan for PM<sub>10</sub> relies on the particulate matter rule. IDEM believes that many processes that are "low-emitting" contribute air pollutants and should be regulated.

*Comment:* Adding small sources to the rule would impose an unreasonable administrative burden on sources. The affected sources will have to determine the emissions from each of their newly regulated processes. If the emissions exceed five hundred fifty-one thousandths (0.551) lb/hr, then the source will be required to control them. IDEM has not stated whether the proposed change will result in any corresponding environmental benefit. Further, adding small sources to the rule would impose an unreasonable administrative burden on Part 70 sources. Any change to the process weight rule would be submitted to U.S. EPA as an amendment to the SIP and, if approved, become federally enforceable. The change would become an "applicable requirement" for Part 70 sources, and the sources would have to certify compliance status with a process weight rate emissions limit for each unit. They might even be required to conduct monitoring on the units. (GE)

*Comment:* The proposed revision to the rule would create administrative burdens on affected sources greater than the environmental benefits received. If the process is operated at a Title V or FESOP source, the process and the applicability of the process weight rule must be identified as an applicable requirement in the permit. The permit may even require compliance monitoring for the process. Sources would have to expend significant resources towards certifying compliance with the process weight rule limits in the annual compliance certification. (Lilly) (BSC) (RPL)

*Response:* IDEM intends to exempt processes with extremely low particulate matter emissions from this rule, as discussed above.

Compliance monitoring is addressed in 326 IAC 3. IDEM is in the process of reviewing and amending the compliance monitoring rules, and a draft rule, with a request for comments, will be published in the near future in the Indiana Register.

### **Fugitive emissions**

*Comment:* The process weight rate rule should specifically exempt fugitive emissions because fugitive dust is covered by 326 IAC 6-4, compliance cannot be determined, and 326 IAC 6-3 was not intended to apply to fugitive emissions. (BSC) (RPL)

*Response:* The fugitive dust rule, 326 IAC 6-4, only applies to fugitive emissions crossing sources' property lines. 326 IAC 6-3 does apply to fugitive emissions from process operations.

### **Specific operations**

*Comment:* IDEM should develop a definition of "process" specific to this rule. (SIGECO) (HEREC) (AEP) (IPL) (IEUAWG)

*Response:* IDEM's definition for "process," found at 326 IAC 1-2-58, is "any action, operation, or treatment and the equipment used in connection therewith, and all methods or forms of manufacturing or processing that may emit air contaminants". IDEM believes this definition is appropriate for 326 IAC 6-3.

*Comment:* IDEM should clarify the rule to apply to complete, distinct production operations. (BSC) (RPL)

*Comment:* It is totally inappropriate to apply this rule to "surface coating" operations, because these operations are characteristically very low in particulate emissions and poorly suited to a calculated process weight emission rate. Surface coating operations should be subject to a technology standard of filtered exhaust, which is consistent with rules in other states and IDEM's current BACT determinations. 326 IAC 6-3 should be worded that surface coating, fiberglass lamination and gelcoat operations, and grinding booths are exempt from the process weight performance standard and are subject to the control technology of dry filters, wash system or other acceptable controls used in the exhaust systems. This would reduce record keeping requirements and streamline the permitting process. Subjecting these operations to a specific control technology would eliminate the requirement that the source demonstrate its emission rate.

In addition, we suggest language specifically exempting certain operations from the rule. Exempt operations should include: cyclones with throughput below one (1) ton per day; baghouse with throughput below ten (10) tons per day; closed loop dust control systems; welding operations under 1 ton per day of rod or wire usage; torch cutting operations; emission units with process throughputs of less than one hundred (100) lbs/hr. (Monaco)

*Comment:* Our activities, metalworking, woodworking, surface coating, and fiberglass production, have always been difficult to assess under a process weight approach. A Dept. of Health enforcement branch memo, dated June 14, 1976, discusses compliance achieved through technology for these activities. We suggest using this memo as a basis for an alternative technological approach for these types of operations. (Monaco) (Carriage) (Glaval) (Charleston)

*Response:* IDEM agrees that using work practices and control technologies, instead of numerical limitations, to control emissions are appropriate for some operations and has added language to the draft rule applying such methods to surface coating, reinforced plastics composites fabricating operations, and graphic arts operations. In cases where industry-specific standards cannot be specified, the formulas in 326 IAC 6-3-2 can be used to calculate an emission limit and some processes will not require the use of control equipment.

#### **Process weight rate table**

*Comment:* The First Notice does not identify which rate in the table in 326 IAC 6-3-2 is incorrect. If a source relied on the miscalculated rate in a permitting action for a process, the agency must provide the opportunity for the source to address this issue with no enforcement repercussions. (SIGECO) (IPL) (IEUAWG) (HEREC) (AEP)

*Response:* IDEM has made several corrections to the table at IAC 6-3-2. If a source has relied on a miscalculated rate for a permit for a process, IDEM will not penalize the source. Sources should check calculations to ensure compliance.

*Comment:* Footnotes to the table in 326 IAC 6-3-2 allow interpolation for process weight rates up to sixty thousand (60,000) lbs/hr and interpolation and extrapolation for weights above sixty thousand (60,000) lbs/hr. The rule is not intended to apply to small sources, because the footnotes do not address extrapolation below one hundred (100) lbs/hr. In 1997, during a negotiation with IDEM, we asked about the applicability of the rule to processes with process weight rates less than one hundred (100) lbs/hr. IDEM responded, in a letter dated February 12, 1997, that the process weight rule “will not be applied to processes with process weight rates less than one hundred (100) pounds per hour. This rule does not direct the reader how to calculate allowable emission rates for process weight rates less than one hundred (100) pounds per hour, but it does for process weight rates greater than one hundred (100) pounds per hour.” (Lilly)

*Comment:* The First Notice is deficient and should be withdrawn. The notice fails to meet the statutory standard at IC 13-14-9-3(2) to describe the basic purpose of the rulemaking. One reason is that IDEM misreads the rule. The rule clearly states that the emission limits are found in the table, not in the equations. The rule clearly describes the purpose of the equations, to interpolate data for process weight rates in the table up to sixty thousand (60,000) lbs/hr and to interpolate and extrapolate data for process weight rates in excess of sixty thousand (60,000) lbs/hr. It does not provide for extrapolation below one hundred (100) lbs/hr.

Further, the First Notice states that its purpose is “to make clear that sources with process weight levels below one hundred (100) lbs/hr shall limit their particulate emissions to 0.551 lbs/hr....” In reality, the purpose of IDEM’s action is to impose a new emissions limit on a large number of processes that have never been regulated. IDEM’s notice fails to provide the public with adequate notice of the purpose of its action and should be withdrawn. (GE)

*Response:* The footnotes, indeed, do not address extrapolation below one hundred (100) lbs/hr. To remedy that, IDEM proposes language in 326 IAC 6-3-2(e) to clarify that the maximum allowable rate of emission should not exceed five hundred fifty-one thousandths (0.551) lb/hr for process weight rates less than one hundred (100) lbs/hr.

*Comment:* IC 13-14-8-4 requires the air pollution control board (board) to consider existing air quality and economic reasonableness of reducing a particular type of pollution. IC 13-14-8-3 allows the board to make different provisions for different contaminant sources. 326 IAC 6-3 only applies to areas of the state that are not nonattainment for either TSP or PM<sub>10</sub>. To revise the rule would ignore IC 13-14-8-4. The only purpose of the proposed revision is to allow the permit branch to impose on sources unduly burdensome monitoring, record keeping, and reporting requirements that have no measurable impact on ambient air quality. The proposal is economically unreasonable and unjust. (Monaco) (Carriage) (Glaval) (Charleston)

*Response:* 326 IAC 6-3 applies to process operations located anywhere in the state, not only to nonattainment areas for particulate matter. Amendments to this rule clarify application of the rule to processes with process weight rates less than one hundred (100) lbs/hr. Although the emissions from individual processes may be small, many sources have multiple processes at a facility, and collectively the emissions can be significant. An example would be multiple sanding operations at a furniture manufacturer or multiple grinding operations at a foundry. However, IDEM intends to exempt processes with extremely low particulate matter emissions from this rule, as discussed above.

## **SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD FOR RULES SUBJECT TO IC 13-4-9.5**

IDEM requested public comment from March 1, 2000, through March 31, 2000, and from May 1, 2000, through May 31, 2000,

on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received comments from the following parties by the comment period deadline:

Bethlehem Steel Corporation, by Barnes & Thornburg, (BSC)

Eli Lilly and Company, (ELC)

Indiana Manufacturers Association, (IMA)

Indianapolis Power & Light Company, by Mark E. Shere, (IPL)

Following is a summary of the comments received and IDEM's responses thereto:

*Comment:* 326 IAC 6-3 is already noticed to be revised. Rules that IDEM has already identified as likely candidates for revision should be readopted separately. (IPL)

*Comment:* 326 IAC 6-3 should be adopted separately to clarify that this rule only applies to non-de minimis point sources. (BSC)

*Comment:* 326 IAC 6-3-2(c) is one of the least effective and least understood air pollution control rules under Title 326. The disagreement is not with the general objective of the rule, but rather trying to determine compliance with it. The definitions of process and process weight rate under Article 1 are vague and subject to varying interpretations. Comments have been submitted to the rulemaking currently in process to amend this rule. (ELC)

*Comment:* 326 IAC 6-3 is ambiguous and leaves key terms open to interpretation. Specifically, the term process and process weight rate are vague and results in subjective interpretations. Also, the Chamber challenges IDEM's recent interpretation that 326 IAC 6-3-2(c) applies to processes with process weight rates less than one hundred (100) lbs/hr. (IMA)

*Comment:* Readopt 326 IAC 6-3-2 separately from the package published in the March 1, 2000 Indiana Register. IDEM is currently applying the process weight rule to processes with process weight rates that are below the one hundred (100) lbs/hr threshold, units not requiring permit review by IDEM. Include language in the process weight rate by exempting processes below this level. (IMA) (ELC)

*Response:* Pursuant to IC 13-14-9.5-4(b), commenters request that 326 IAC 6-3 be readopted separately from the general readoption rule authorized by IC 13-14-9.5-4(a). The rulemaking addressing this rule and subject matter is, indeed, already open. First notice of this rulemaking appeared in the January 1, 2000, Indiana Register at 23 IR 926. Comments regarding specific provisions of 326 IAC 6-3 are answered in the response to comments for the first comment period of January 1-31, 2000, contained in this second notice of 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. Mailed comments should be addressed to:

#99-265(APCB) Process Weight Rates

Kathryn A. Watson

Branch Chief

Office of Air Quality

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 Quality, 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) 233-0430.

## **COMMENT PERIOD DEADLINE**

Comments must be postmarked, hand delivered, or faxed by March 5, 2001.

Additional information regarding this action may be obtained from Janet Perkowski, Rules Development Section, Office of Air Quality, (317) 233-8628 or (800) 451-6027, press 0, and ask for Janet Perkowski (in Indiana).

## **DRAFT RULE**

SECTION 1. 326 IAC 6-3-1 IS AMENDED TO READ AS FOLLOWS:

### **326 IAC 6-3-1 Applicability**

**Authority:** IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-3-12

**Affected:** IC 13-15; IC 13-17

Sec. 1. (a) This rule establishes emission limitations for particulate emissions from process operations located anywhere in the state.

(b) The following processes and their attendant emissions are exempt from this rule:

- (1) Combustion for indirect heating.
- (2) Incinerators.
- (3) Open burning.
- (4) Existing foundry cupolas **that are subject to the requirements of 326 IAC 11-1.**
- (5) Dip coating.**

~~(b)~~ (c) If any limitation is established:

- (1) by this rule **that** is inconsistent with applicable limitations contained in 326 IAC 6-1;
- (2) by 326 IAC 12 concerning new source performance standards; or
- (3) in a Part 70 permit in accordance with 326 IAC 2-7-24;

then the limitation contained in this rule shall not apply, but the limit in ~~such sections~~ **326 IAC 6-1, 326 IAC 12**, or Part 70 permit, **as applicable**, shall apply. (*Air Pollution Control Board; 326 IAC 6-3-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2499; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2367*)

SECTION 2. 326 IAC 6-3-2 IS AMENDED TO READ AS FOLLOWS:

### **326 IAC 6-3-2 Particulate emission limitations**

**Authority: IC 13-1-1-4; IC 13-7-7**

**Affected: IC 13-1-1**

Sec. 2. (a) **Any process operation listed in subsections (b) through (d) shall follow the work practices and control technologies contained therein. All other process operations subject to this rule shall calculate emission limitations according to requirements in subsection (e).**

~~(a) Cement Kilns: No owner or operator of a~~ (b) **Cement manufacturing operation kilns** commencing operation prior to December 6, 1968, ~~equipped with electrostatic precipitators, bag filters or equivalent gas-cleaning devices~~ shall **not** cause, allow, or permit any discharge to the atmosphere any gases containing particulate matter in excess of **the following**:

- (1)  $E = 8.6 P^{0.67}$ , below thirty (30) ~~tons per hour~~ **tons/hour** of process weight;
- (2)  $E = 15.0 P^{0.50}$ , over thirty (30) ~~tons per hour~~ **tons/hour** of process weight;

Where E = emission rate in pounds/hour (**lbs/hr**) and P = process weight in tons/hour.

~~(b)~~ (c) **Catalytic cracking units** ~~The owner or operator of a catalytic cracking unit~~ commencing operation prior to December 6, 1968, and ~~which is~~ equipped with cyclone separators, electrostatic precipitators, or other gas-cleaning systems shall recover **ninety-nine and ninety-seven hundredths percent (99.97%)** or more of the circulating catalyst or total gas-borne particulate.

(d) **Surface coating, reinforced plastics composites fabricating operations, or graphic arts operations with a potential to emit particulate matter shall be controlled by a dry particulate filter or an equivalent control device, subject to the following:**

- (1) The source shall operate the particulate control device in accordance with manufacturer's specifications.**
- (2) Overspray shall not be visibly detectable at the exhaust or accumulated on the ground.**
- (3) A control device is not required for operations that use less than ten (10) gallons of coating per day. An operation that is subject to this section shall remain subject to this section notwithstanding any subsequent decrease in gallons of coating used.**

~~(c)~~ (e) **Process operations to which control methods in subsections (b) through (d) do not apply shall calculate allowable emissions as follows:**

- (1) No person shall operate any process so as to produce, cause, suffer, or allow particulate matter to be emitted in excess of the amount shown in the following table. The maximum allowable rate of emission shall be based on maximum process weight rate for an operation.**
- (2) When the process weight rate is less than one hundred (100) lbs/hr, the maximum allowable rate of emission shall not exceed 0.551 lb/hr.**
- (3) When the process weight exceeds two hundred (200) tons/hour, the maximum allowable emission may exceed that shown in the table, provided the concentration of particulate matter in the discharge gases to the atmosphere is less than one-tenth**

**(0.10) pound per one thousand (1,000) pounds of gases.**

Allowable Rate of Emission Based on Process Weight Rate<sup>1</sup>

Process Weight Rate		Process Weight Rate			
		Rate of Emission		Rate of Emission	
Lbs/Hr	Tons/Hr	Lbs/Hr	Lbs/Hr	Tons/Hr	Lbs/Hr
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	<del>1.40</del> <b>1.39</b>	20,000	10.00	19.2
600	0.30	1.83	30,000	15.00	25.2
800	0.40	2.22	40,000	20.00	30.5
1,000	0.50	2.58	50,000	25.00	35.4
1,500	0.75	3.38	60,000	30.00	40.0
2,000	1.00	4.10	70,000	35.00	41.3
2,500	1.25	4.76	80,000	40.00	42.5
3,000	1.50	5.38	90,000	45.00	43.6
3,500	1.75	<del>5.96</del> <b>5.97</b>	100,000	50.00	44.6
4,000	2.00	6.52	120,000	60.00	46.3
5,000	2.50	7.58	140,000	70.00	47.8
6,000	3.00	8.56	160,000	80.00	<del>49.0</del> <b>49.1</b>
7,000	3.50	9.49	200,000	100.00	<del>51.2</del> <b>51.3</b>
8,000	4.00	10.40	1,000,000	500.00	69.0
9,000	4.50	11.20	2,000,000	1,000.00	77.6
10,000	5.00	12.00	6,000,000	3,000.00	92.7
12,000	6.00	13.60			

(3) When the process weight exceeds two hundred (200) tons/hour, the maximum allowable emission may exceed that shown in the table, provided the concentration of particulate matter in the discharge gases to the atmosphere is less than (0.10) pounds per one thousand (1,000) pounds of gases.

\*<sup>1</sup>Interpolation of the data in this table for process weight rates up to sixty thousand (60,000) lbs/hr shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

and interpolation and extrapolation of the data for process weight rates in excess of sixty thousand (60,000) lbs/hr shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40$$

where: E = rate of emission in lbs/hr. and  
P = process weight in tons/hr.

(Air Pollution Control Board; 326 IAC 6-3-2; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2499)

**Notice of First Meeting/Hearing**

Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on April 12, 2001 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room B, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 6-3.

The purpose of this hearing is to receive comments from the public prior to preliminary adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but for the accuracy of the record, all comments should be submitted in writing. Procedures to be followed at this hearing may be found in the April 1, 1996, Indiana Register, page 1710 (19 IR 1710).

Additional information regarding this action may be obtained from Janet Perkowski, Rules Development Section, Office of Air Management, (317) 233-8628 or (800) 451-6027, press 0 and ask for Janet Perkowski (in Indiana). If the date of this hearing is changed it will be noticed in the Change of Notice section of the Indiana Register.

Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

*Attn: ADA Coordinator  
Indiana Department of Environmental Management  
100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015*

*or call (317) 233-1785. Speech and hearing impaired callers may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.*

*Copies of these rules are now on file at the Office of Air Management, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.*