

TITLE 326 AIR POLLUTION CONTROL BOARD**SECOND NOTICE OF COMMENT PERIOD****#99-73(APCB)****DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING PARTICULATE MATTER EMISSIONS (PM₁₀) AT UNION TANK CAR COMPANY IN LAKE COUNTY****PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) has developed draft rule language, on behalf of Union Tank Car Company in Lake County, for amendments to 326 IAC 6-1-10.1, which would establish a new emission limit for particulate matter less than or equal to ten (10) micrometers (: m), or PM₁₀, for the grit blast operation. 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: May 1, 1999, Indiana Register (22 IR 2647).

Second Notice of Comment Period: November 1, 2001, Indiana Register.

CITATIONS AFFECTED: 326 IAC 6-1-10.1.

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

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Union Tank Car operates a railcar manufacturing facility in East Chicago, Lake County, Indiana. Processes at the facility include railcar grit blasting, heat-treating, and surface coating. The area where the facility is located is classified as nonattainment for particulate matter less than or equal to ten (10) micrometers (PM₁₀). Due to the area's nonattainment designation, IDEM has rules in place at 326 IAC 6-1-10.1 that limit PM₁₀ for specific sources.

Union Tank Car has requested a state implementation plan change for the grit blasting unit. Union Tank Car cannot meet its specified PM₁₀ limit of 0.002 pounds per ton (lbs/ton) and 0.020 pounds per hour (lbs/hr) with available control equipment and is, therefore, requesting a limit that can be met with available control technology. Union Tank Car has already replaced the less effective baghouses with two (2) new baghouses.

The proposed PM₁₀ emission limit of 0.01 grain of particulate matter per dry standard cubic foot (gr/dscf) and 10.03 lbs/hr is consistent with the limits of other operations that have similar emissions controls. While the change in the state implementation plan emission limit or allowable emission limit is a significant numerical increase from the existing limit, actual emissions will not increase. The rulemaking will not require or allow any changes in operation at the source. Other minor wording changes have been made to rule sections to clarify meanings.

The department performed an air quality analysis of the proposed adjustment to Union Tank Car's PM₁₀ emission limits. The analysis indicates that the proposed emission limit of 10.03 lbs/hr will result in modeled concentrations that meet the twenty-four (24) hour National Ambient Air Quality Standard (NAAQS) and the annual PM₁₀ NAAQS.

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD

IDEM requested public comment from May 1, 1999 through June 1, 1999, on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received no comments in response to the first notice of public comment period.

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:

#99-73(APCB) Union Tank Car

Kathryn A. Watson, Chief

Air Programs Branch

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) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, hand delivered, or faxed by December 3, 2001.

Additional information regarding this action can be obtained by calling (800) 451-6027, press 0, and ask for Suzanne Whitmer, Rules Development Section, Office of Air Quality or dial 0, and ask for extension 2-8229, or dial (317) 232-8229.

DRAFT RULE

SECTION 1. 326 IAC 6-1-10.1, PROPOSED TO BE AMENDED AT 24 IR 401, SECTION 10, IS AMENDED TO READ AS FOLLOWS:

326 IAC 6-1-10.1 Lake County PM₁₀ emission requirements

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

Affected: IC 13-15; IC 13-17

Sec. 10.1. (a) This section applies to the sources, facilities, and operations listed in subsection (d).

(b) The following definitions apply throughout this section:

(1) "lbs/hr" means pounds of particulate matter emissions emitted per one (1) sixty (60) minute period.

(2) "lbs/MMBtu" means pounds of particulate matter emissions per million British thermal units heat input of fuels fired in the source, unless otherwise stated.

(3) "lbs/ton" means pounds of particulate matter emissions per ton of product output from the particular facility, unless otherwise stated. Byproducts that may be sold as product shall not be included under the term "product".

(4) "gr/dscf" means grains of particulate matter per dry standard cubic foot of exhaust air.

(c) All emission limits in this section shall be PM₁₀ limits, unless otherwise stated.

(d) The following sources shall comply with the corresponding PM₁₀ and total suspended particulates (TSP) emission limitations and other requirements in this section consistent with the provisions as applicable in subsection (k). Each emission limit applies to one (1) stack serving one (1) facility unless otherwise noted. The emission limitations apply:

(1) to one (1) stack serving the multiple units specified when the facility description notes "stack serving"; and

(2) to each stack of multiple stacks serving multiple facilities when the facility description notes "each stack serving".

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<u>Source</u>	<u>Emission Limit (Units)</u>	<u>Emission Limit (lbs/hr)</u>	
(1) JUPITER ALUMINUM CORPORATION			
Reverberatory furnace number 1	0.060 lbs/ton	0.970	
Reverberatory furnace number 2	0.142 lbs/ton	0.430	
Reverberatory furnace number 3	0.145 lbs/ton	0.510	
Reverberatory furnace number 4	0.145 lbs/ton	0.510	
Reverberatory furnace number 5	0.130 lbs/ton	1.137	
(2) SILGAN CONTAINERS MANUFACTURING CORPORATION			
Stack serving incinerators (3 units)	0.007 lbs/MMBtu	0.310	
Coil coater	0.007 lbs/MMBtu	0.290	
(3) CERESTAR USA, INC.			
Stack serving boiler numbers 6 and 7	Stack Number 10-03-U-P and 10-04-U-P	lbs/hr 30.3	
Stack serving boiler numbers 8 and 10	10-05-U-P and 10-06-U-P	22.7	
Activated carbon regenerating furnace	15G-01-R-F	0.34	0.01
Bulk carbon/bulk filter aid system	17-03-R-P	0.06	0.01
Corn syrup solids dust collection system number 2	18-03-R-P	0.30	0.01
Special starch (P. G.) manufacturing equipment system number 1	18-06-S-P	0.17	0.01
Special starch (P. G.) manufacturing equipment system number 2	18-07-S-P	0.084	0.01
Special starch (P. G.) manufacturing equipment system number 3C (½ system number 3)	18-08-S-P	0.12	0.01
Special starch (P. G.) manufacturing equipment system number 3D (½ system number 3)	18-09-S-P	0.12	0.01
Gluten ring dryer #1	19-03-G-P	4.76	0.015
Receiver for first stage germ dryer	21A-01-G-P	0.12	0.015
First stage germ dryer exhaust	21A-02-G-P	0.67	0.01
Equipment conveying corn dirt to dirt storage silo	30-16-G-P	0.06	0.01
Waxy feed conveyor system	31-02-G	0.27	0.01
Finished gluten conveying system (Tank 2 or 3)	31-10-G-P or 31-11-G-P	0.19	0.02
Gluten receiver	31-13-G(3/95)	0.23	0.02
Germ Storage Silo	31-14-G(10/95)	0.097	0.01
Corn receiving and storage-bin vent #5	33-01-G(12/95)	0.171	0.02
Corn receiving and storage-bin vent #6	33-02-G(12/95)	0.171	0.02
Corn cleaner	33-03-G(12/95)	0.21	0.01
Dextrin incoming starch, building 34	34-01-S-P	0.04	0.01
Dextrin starch reactor #1	34-02-S-P	0.180	0.01
Dextrin starch cooler #1	34-03-S-P	0.042	0.01
Dextrin storage hopper, building 34	34-05-S-P	0.11	0.01
Dextrin Feed Hoppers: 1 and 2 (System 1)	34-06-S and	0.030	0.01
Dextrin air lock feeder	34-07-S (12/92)		
Dextrin starch cooler	34B-01-S (10/93)	0.042	0.01
Dextrin storage hopper	34B-03-S (10/93)	0.114	0.01
Dextrin starch reactor #2	34B-04-S (10/93)	0.179	0.01
Dextrin feed hoppers: 3 and 4 (System 2)	34B-05-S and	0.030	0.01
#1 and #2 Dextrin air lock feeder	34B-06-S (10/93)		
Dextrin incoming starch Batch scale hopper No. 2	34B-13-S (10/93)	0.067	0.01
Feed receiver	35-05-G	0.568	0.01
Dextrin bulk loading equipment	48-09-S-P	0.26	0.01
Receiver for second stage germ dryer	51A-01-G-P	0.19	0.02
Second stage germ dryer exhaust	51A-02-G-P	1.01	0.015
Sulfate bag dumping	52-02-S-P	0.20	0.01
Starch milling system number 1	59-01-S-P	0.43	0.01
Starch milling system number 2	59-02-S-P	0.43	0.01
Starch ring dryer number 2	59-03-S-P	3.50	0.006
Stack serving starch bulk loading equipment (receiver)	76-02-S-P	0.17	0.01

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Stack serving starch bulk loading equipment (Railcar loading)	76-03-S-P	0.17	0.01
Stack serving special starch (P.G.) manufacturing equipment system	85-01-S-P	0.24	0.01
Fiber drying equipment	89-01-G(10/95)	4.50	0.01
Wet fiber cyclone receiver	89-02-G(10/95)	0.178	0.01
Rotary feed dryer	89-03-G(10/95)	4.5	0.03
Milled feed hopper	89-04-G(10/95)	0.50	0.01
Feed pelletizing B	91-14-G-P	2.10	0.015
Feed pelletizing C	91-15-G-P	2.10	0.015
Feed pelletizing D	91-16-G-P	0.23	0.01
Starch conveying system number 46	93-01-W-P	0.17	0.01
Starch conveying system 47	93-02-W-P	0.17	0.02
Dextrin conveying system 48	93-03-W-P	0.17	0.01
Dried corn syrup conveying system, frodex	93-04-W-P	0.069	0.01
Corn syrup solids conveyor equipment	93-05-W-P	0.066	0.01
Stack serving starch packing systems number 1 and 2, building 93 (43 and 44)	93-06-W-P and 93-07-W-P	0.23	0.01
Frodex semibulk packing system, building 93	93-08-W-P	0.083	0.01
Each stack serving bag dump numbers 1 and 2	93-09-W-P and 93-10-W-P	0.10	0.01
Starch bulk loading	93-14-W (2/93)	0.273	0.01
Starch vacuum clean-up system	93-15-W(2/93)	0.021	0.01
Starch mixing and bagging system #1	93-16-W(5/95)	0.130	0.01
Starch mixing and bagging system #2	93-17-W(5/95)	0.264	0.01
New corn syrup spray dryer cooler system number 3 (SIP #2)	100-01-R-P	4.96	0.015
#4 corn syrup spray dryer	100-03-R(93)	4.2	0.01
Carbon regeneration furnace #2	104-01-R(2/96)	0.728	0.015
Soda ash tank	104-02-R(2/96)	0.154	0.02
Filter aid hopper	104-03-R(2/96)	0.044	0.02
Sodium bisulfate bag dump	104-05-R(2/96)	0.080	0.02
Each stack serving bulk corn starch storage bin numbers 20 through 36 (five (5) stacks may operate at one time)	120-01-S-P to 120-17-S-P	0.56	0.01
Gluten dryer system	121-01-G(3/95)	3.0	0.03
Waxy feed drum dryer scrubber	124-01-G-P	11.12	0.03
Waxy feed milling equipment	124-22-G-P	0.051	0.01
Germ dryer/cooler	124A-01-G(11/94)	1.852	0.02
Starch ring dryer number 3	125-01-S-P	3.50	0.006
Waxy bulk cornstarch storage bins numbers 95 through 98 (only one (1) may operate at a time)	126-01-S-P to 126-04-S-P	0.16	0.01
BCD dryer, building 127	127-01-B-P	0.57	0.01
#1 and #2 vacuum cleaner system	127-21-B and 127-22- B(5/93)	0.031	0.01
#1 and #2 BCD storage hopper	127-23-B and 127-24- B(5/93)	0.18	0.01
BCD mill feeder hopper	127-25-B(5/93)	0.028	0.01
BCD packing hopper	127-26-B(5/93)	0.005	0.01
Special starch process with Starch dryer number 4, Building 128	128-01-S-P	3.5	0.01
Four products blending systems, building 93	130-01-S-P to 130-04-S-P	0.42	0.01
Dextrin blender	130-05-S(7/93)	0.248	0.01
Corn receiving and storage-bin vent #1 and #2	140-01-G and 140-02-G (12/95)	0.343	0.02
Corn receiving and storage-bin vent #3 and #4	140-03-G and 140-04-G (12/95)	0.343	0.02
Corn dump pit	140-05-G (12/95)	1.286	0.01
Corn scale system	140-06-G (12/95)	0.154	0.01
Corn elevator conveying	140-07-G (12/95)	0.086	0.01

	Emission Limit (Units)	Emission Limit (lbs/hr)
(4) AMERICAN STEEL FOUNDRIES EAST CHICAGO		
Sand kiln and cooler	0.636 lbs/ton	16.29
Sandheater mixing	0.520 lbs/ton	11.44
Electric induction furnaces (2 units)	0.104 lbs/ton	1.248
#2 tumblast with dust collector	0.145 lbs/ton of product	0.678
#3 tumblast with dust collector	0.145 lbs/ton of product	0.678
Shakeout dust collector	0.012 lbs/ton of product	0.384
(5) AMERICAN STEEL FOUNDRY HAMMOND		
Stack serving coil spring grinder numbers 3-0386 and 3-0389	1.083 lbs/ton	0.045
Stack serving coil spring grinder number 3-0244	0.021 lbs/ton	0.040
Tub grinder number 3-0388	0.015 lbs/ton	2.00
Coil spring grinder number 3-0247	0.019 lbs/ton	0.03
Coil spring grinder number 3-0249	3.792 lbs/ton	1.82
Coil spring grinders numbers 3-0385, 3-295, and 3-0233	0.019 lbs/ton	0.05
Shot blast peener number 3-1804	0.011 lbs/ton	0.06
Shot blast peener number 3-1811	0.018 lbs/ton	0.06
Shot blast peener number 3-1821	0.016 lbs/ton	0.06
Shot blast peener number 3-1823	0.016 lbs/ton	0.06
Small coil manufacturing (ESP number 3-3024)	0.014 lbs/ton	0.02
Medium coil manufacturing (ESP number 3-3027)	0.700 lbs/ton	2.10
Large coil manufacturing (ESP number 3-3028)	0.700 lbs/ton	3.50
Miscellaneous coil manufacturing (ESP number 3-3026)	0.700 lbs/ton	1.05
(6) AMOCO OIL, WHITING REFINERY		
Number 1 CRU, F-101 feed preheater	0.004 lbs/MMBtu	0.267
Stack serving number 1 CRU, F-102, F-201, F-202 heaters	0.004 lbs/MMBtu	0.290
Stack serving number 1 power station, boiler numbers 1, 2, 3, and 4	0.016 lbs/MMBtu	15.809
Stack serving number 1 power station, boiler numbers 5, 6, 7, and 8	0.016 lbs/MMBtu	13.244
Stack serving number 11 pipe still furnaces H-101, H-102, H-103, H-104, coke preheaters	0.004 lbs/MMBtu	0.741
Number 11 pipe still, H-1X heater	0.031 lbs/MMBtu	6.867
Number 11 pipe still, H-2 vacuum heater	0.032 lbs/MMBtu	1.440
Number 11 pipe still, H-200 crude charge	0.032 lbs/MMBtu	7.866
Number 11 pipe still, H-3 vacuum heater	0.031 lbs/MMBtu	1.704
Number 11 pipe still, H-300 furnace	0.031 lbs/MMBtu	4.931
Stack serving number 12 pipe still, H-1A and H-1B preheaters and H-2 vacuum heater	0.025 lbs/MMBtu	16.348
Each stack serving number 12 pipe still, H-1CN and H-1CS crude preheater	0.004 lbs/MMBtu	0.444
Number 12 pipe still, H-1CX crude preheater	0.004 lbs/MMBtu	0.924
Number 2 isomerization, F-7 furnace	0.004 lbs/MMBtu	0.085
Number 2 isomerization, H-1 feed heater furnace	0.004 lbs/MMBtu	0.704
Each stack serving number 3 power station, boiler numbers 1, 2, 3, 4, and 6	0.030 lbs/MMBtu	17.49
Number 3 ultraformer, F-7 furnace	0.004 lbs/MMBtu	0.085
Number 3 ultraformer, H-1 feed heater furnace	0.004 lbs/MMBtu	0.852
Number 3 ultraformer, H-2 feed heater furnace	0.004 lbs/MMBtu	0.685
Number 3 ultraformer, waste heat recovery unit	0.004 lbs/MMBtu	1.537
Stack serving number 37 pipe still, B-1 feed preheater, B-2 wax fractioner	0.018 lbs/MMBtu	1.903
Stack serving number 4 ultraformer, F-1 ultrafiner furnace F-8A and F-8B reboilers	0.004 lbs/MMBtu	1.459
Number 4 ultraformer, F-2 preheater furnace	0.004 lbs/MMBtu	1.059
Number 4 ultraformer, F-3 number 1 reheat furnace	0.004 lbs/MMBtu	0.896
Stack serving number 4 ultraformer, F-4 number 2 reheat furnace, F-5 number 3 reheat furnace, and F-6 number 4 reheat furnace	0.004 lbs/MMBtu	1.060
Number 4 ultraformer, F-7 furnace	0.004 lbs/MMBtu	0.159
Aromatics recovery unit, F-200A furnace	0.004 lbs/MMBtu	0.924
Aromatics recovery unit, F-200B furnace	0.004 lbs/MMBtu	0.924
Blending oil desulphurization, F-401 furnace	0.004 lbs/MMBtu	0.130
Cat feed hydrotreating unit	0.004 lbs/MMBtu	0.246
F-1 Berry Lake distillate heater	0.004 lbs/MMBtu	0.048
F-2 Steiglitz Park residual heater	0.008 lbs/MMBtu	0.208
Stack serving heavy oils unit, H-101, H-201, H-202	0.004 lbs/MMBtu	0.030

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NMP extraction unit, B-105 furnace	0.023 lbs/MMBtu	1.174
NMP extraction unit, B-106 furnace	0.004 lbs/MMBtu	0.352
Oil hydrotreating unit	0.004 lbs/MMBtu	0.059
Sulfur recovery unit incinerator	0.004 lbs/MMBtu	0.090
Asphalt oxidizer number 1	0.000 lbs/ton	0.000
Asphalt oxidizer number 2	0.000 lbs/ton	0.000
Asphalt oxidizer number 3	0.000 lbs/ton	0.000
Tail gas unit (new)	0.110 lbs/ton	0.103
Wastewater sludge fluid bed incinerator	0.173 lbs/ton based on 79,000 lbs/hr fluidizing air flow	6.84
FCU 500	1.220 lbs/1,000 lbs coke burned	73.20
FCU 600	1.10 lbs/1,000 lbs coke burned	55.00
DDU WB-301	0.004 lbs/MMBtu	0.250
DDU WB-302	0.004 lbs/MMBtu	0.240
Hydrogen unit B-1	0.009 lbs/MMBtu	3.340
(7) ASSOCIATED BOX		
Wood chip fired space heating boiler	0.810 lbs/MMBtu	4.450
(8) BUCKO CONSTRUCTION		
Rotary dryer	0.017 lbs/hr	4.440
(9) SMITH READY MIX		
Central mix	0.0013 lbs/ton	0.350
(10) STATE LINE ENERGY, LLC		
Unit 3	0.100 lbs/MMBtu	213.00
Unit 4	0.100 lbs/MMBtu	356.80
(11) E.I. DUPONT		
Sodium silicate furnace	1.439 lbs/ton	6.0
(12) GENERAL REFRACTORY		
Ball milling storage	0.041 lbs/ton	0.410
Crushing and sizing	0.012 lbs/ton	0.460
Material handling system	0.003 lbs/ton	0.220
Material loading	0.006 lbs/ton	0.150
Material weighing	0.064 lbs/ton	0.350
Mixing and packaging	0.354 lbs/ton	2.480
Sizing, conveying, and storage	0.029 lbs/ton	0.580
(13) GEORGIA PACIFIC		
Boiler number 1	0.129 lbs/MMBtu	9.380
(14) GLOBE INDUSTRIES		
Stack serving asphalt saturators (2 units)	0.060 lbs/ton of product	4.500
(15) HAMMOND GROUP INC. (HGI)		
Stack 17-S-40	0.030 gr/dscf	2.120
Stack 20-S-36	0.022 gr/dscf	0.395
Stack 20-S-41	0.022 gr/dscf	0.450
Stack 20-S-37	0.022 gr/dscf	0.200
Stack 20-S-38	0.022 gr/dscf	0.087
Stack 17-S-25	0.030 gr/dscf	2.120
Stack 20-S-42	0.022 gr/dscf	0.200
Stack 20-S-43	0.022 gr/dscf	0.087
Stack 20-S-39	0.022 gr/dscf	0.496
Stack 20-S-44	0.022 gr/dscf	0.496
Stack 13-S-48	0.022 gr/dscf	0.471
Stack 14-S-45	0.022 gr/dscf	0.471
(16) HAMMOND GROUP INC.-HALSTAB DIVISION		
Stack S-1	0.022 gr/dscf	0.220
Stack S-2	0.022 gr/dscf	0.080
Stack S-4	0.022 gr/dscf	1.460
Stack S-5	0.022 gr/dscf	1.030
Stacks S-6, S-7, and S-8, each stack	0.022 gr/dscf	0.570
Stacks S-9, S-10, S-11, S-12, S-13, S-14, S-15, and S-16, each stack	0.022 gr/dscf	0.200
Stack S-17	0.022 gr/dscf	1.990

(17) HAMMOND GROUP INC. (HGI)		
Stack 1-S-54	0.0 gr/dscf	0.000
Stack 4A-S-8	0.022 gr/dscf	0.250
Stack 14-S-16	0.022 gr/dscf	0.250
Stack 1-S-2	0.022 gr/dscf	0.250
Stack 1-S-26	0.022 gr/dscf	0.250
Stack 16-S-56	0.022 gr/dscf	1.000
Stack 1-S-52	0.022 gr/dscf	1.000
Stack 1-S-27	0.022 gr/dscf	0.290
Stack 4-S-35	0.022 gr/dscf	0.570
Stack 6-S-33	0.022 gr/dscf	0.900
Stack 4B-S-34	0.022 gr/dscf	0.400
Stack 6-S-47	0.022 gr/dscf	0.400
V-1	0.022 gr/dscf	1.000
Stack 14-S-15	0.022 gr/dscf	0.320
(18) HARBISON-WALKER REFRACTORIES, HAMMOND WORKS		
Each stack serving tunnel kiln numbers 1 (S-6) and 2 (S-3)	1.36 lbs/ton	4.50
Each stack serving tunnel kiln numbers 1 (S-6) and 2 (S-3) if only one kiln is in operation	1.36 lbs/ton	8.40
Lanley oven (S-7)	0.210 lbs/ton	0.840
Basic dryer (stack 8)	0.916 lbs/ton	3.020
Chrome ore crushing (D-9)	0.024 lbs/ton	0.490
Chrome ore rotary dryer (D-10)	0.032 lbs/ton	0.640
Chrome ore handling (D-11) and storage	0.020 lbs/ton	0.410
Chrome ore screening (D-12) and milling	0.078 lbs/ton	1.240
Chrome ore finished (D-13) material handling and storage	0.044 lbs/ton	0.700
Magnesite unloading and crushing (D-18)	0.017 lbs/ton	0.580
Magnesite material handling and storage (D-2)	0.012 lbs/ton	0.410
Magnesite screening and milling (D-8)	0.051 lbs/ton	1.280
Specialty magnesite handling system (D-16)	0.097 lbs/ton	0.260
Magnesite chrome ore mixer number 3 (D-6)	0.033 lbs/ton	0.230
Magnesite chrome ore mixer number 2 and flat mixer (D-5)	0.033 lbs/ton	0.460
Magnesite chrome ore mixer number 1 (D-4)	0.033 lbs/ton	0.230
Magnesite carbon mixers (D-7)	0.054 lbs/ton	0.460
Magnesite smooth roll crusher system (D-15)	0.067 lbs/ton	0.500
Magnesite auxiliary milling system (D-14)	0.086 lbs/ton	0.170
(19) INLAND STEEL		
Number 4 slab mill scarfer	0.039 lbs/ton	21.97
Number 2A bloomer scarfer	0.107 lbs/ton	10.70
Mold foundry baghouse	0.011 gr/dscf	26.00
Sinter plant discharge end and cooler baghouse	0.01 gr/dscf TSP	11.70 TSP
Sinter plant windbox baghouse	0.007 gr/dscf TSP	17.00 TSP
Lime plant silo baghouses	0.085 lbs/ton	5.530
Lime plant firing and kiln baghouses	0.110 lbs/ton	7.149
Number 4 roll shop erwin blaster/baghouse	0.0052 gr/dscf TSP	0.210 TSP
Number 4 roll shop wheelabrator baghouse	0.0052 gr/dscf TSP	0.260 TSP
Number 4A roll shop erwin blaster/baghouse	0.0052 gr/dscf TSP	0.210 TSP
Number 4A roll shop pangborn blaster/baghouse	0.0052 gr/dscf TSP	0.260 TSP
Number 2 roll shop pangborn blaster/baghouse	0.0052 gr/dscf TSP	0.270 TSP
Number 6 roll shop roll blaster/baghouse	0.0052 gr/dscf TSP	0.200 TSP
Electric shop blasters/baghouses	0.0052 gr/dscf TSP	1.070 TSP
Number 11 coke battery preheaters (2 units)	0.00	0.00
Number 11 coke battery shed baghouse	0.00	0.00
Number 6 coke battery underfire stack	0.00	0.00
Number 7 coke battery underfire stack	0.00	0.00
Number 8 coke battery underfire stack	0.00	0.00
Number 9 coke battery underfire stack	0.00	0.00
Number 10 coke battery underfire stack	0.00	0.00
Number 11 coke battery underfire stack	0.00	0.00
Number 7B blast furnace canopy baghouse	0.003 gr/dscf	11.22
Number 7 blast furnace stockhouse pellet baghouse	0.0052 gr/dscf	4.00
Number 7 blast furnace casthouse baghouse	0.011 gr/dscf TSP	22.00 TSP
Number 7 blast furnace coke screening baghouse	0.007 gr/dscf TSP	4.200 TSP

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Number 7 blast furnace stockhouse coke baghouse	0.01 gr/dscf TSP	2.00 TSP
Number 1 blast furnace stoves (4 units)	0.000	0.000
Number 2 blast furnace stoves (4 units)	0.000	0.000
Number 2 basic oxygen furnace number 10 furnace stack	0.058 lbs/ton TSP	16.00 TSP
Number 2 basic oxygen furnace number 20 furnace stack	0.058 lbs/ton TSP	16.00 TSP
Number 2 basic oxygen furnace caster fume collection baghouse	0.0052 gr/dscf TSP	2.00 TSP
Number 2 basic oxygen furnace ladle metallurgical station baghouse	0.0052 gr/dscf TSP	2.00 TSP
Number 2 basic oxygen furnace secondary ventilation system scrubber	0.015 gr/dscf TSP	12.00 TSP
Number 2 basic oxygen furnace tundish dump baghouse	0.0052 gr/dscf TSP	2.200 TSP
Number 2 basic oxygen furnace charging aisle reladling and desulfurization baghouse	0.011 gr/dscf TSP	28.30 TSP
Number 2 basic oxygen furnace truck and ladle hopper baghouse	0.0052 gr/dscf TSP	0.800 TSP
Number 2 basic oxygen furnace flux storage and batch baghouse	0.0052 gr/dscf TSP	0.530 TSP
Number 4 basic oxygen furnace reladling and desulfurization baghouse	0.0052 gr/dscf TSP	8.26 TSP
Number 4 basic oxygen furnace scrubber stack (steelmaking)	0.187 lbs/ton TSP	100.00 TSP
Number 4 basic oxygen furnace vacuum degassing baghouse	0.01 gr/dscf TSP	4.280 TSP
Number 4 basic oxygen furnace secondary ventilation system baghouse	0.006 gr/dscf TSP	22.30 TSP
Stack serving blast furnace stove, number 5 (3 units)	0.016 lbs/MMBtu	4.70
Stack serving blast furnace stove, number 6 (4 units)	0.016 lbs/MMBtu	3.64
Stack serving blast furnace stove, number 7 (3 units)	0.0076 lbs/MMBtu	6.32
Stack serving "A" blast furnace stoves (3 units)	0.021 lbs/MMBtu	5.090
Stack serving "B" blast furnace stoves (3 units)	0.021 lbs/MMBtu	5.090
100 inch plate mill reheat furnace	0.078 lbs/MMBtu	13.74
Number 2 bloom mill soaking pit, numbers 1 through 4	0.000	0.000
Number 2 bloom mill soaking pit numbers 5 through 16 collective	0.000	0.000
Number 2 bloom mill soaking pit numbers 19 through 20 collective	0.000	0.000
Number 4 slabber soaking pit numbers 1 through 18 collective	0.0 lbs/MMBtu	0.0
Number 4 slabber soaking pit numbers 19 through 45 collective	0.006 lbs/MMBtu	1.750
Stack serving number 2AC station boiler numbers 207 through 210	0.000	0.000
Stack serving number 2AC station boiler numbers 211 through 213	0.018 lbs/MMBtu	16.20
Stack serving number 3AC station boiler numbers 301 through 304	0.018 lbs/MMBtu	16.20
Number 3AC station boiler number 305	0.018 lbs/MMBtu	5.400
Stack serving number 4AC station boiler number 401 through 404	0.042 lbs/MMBtu	76.578
Number 4AC station boiler number 405	0.028 lbs/MMBtu	18.78
Stack serving number 5 boiler house (3 units)	0.013 lbs/MMBtu	18.05
Electric arc furnace shop direct shell evacuation system baghouse roof monitor	0.0052 gr/dscf	17.14
Electric arc furnace shop ladle metallurgical station baghouse	0.01 gr/dscf	0.820
Coal conveyor transfer baghouse A	0.003 gr/dscf	0.17
Blending system baghouse B	0.003 gr/dscf	0.54
Coal storage bin baghouse C	0.003 gr/dscf	0.23
Coal pulverizer baghouse D	0.0015 gr/dscf	0.93
Coal pulverizer baghouse E	0.0015 gr/dscf	0.93
Number 7 blast furnace coal storage bin baghouse F	0.003 gr/dscf	0.09
Number 7 blast furnace coal storage bin baghouse G	0.003 gr/dscf	0.09
Numbers 5 and 6 blast furnace coal storage bin baghouse H	0.003 gr/dscf	0.09
(20) KEIL CHEMICAL DIVISION OF FERRO CORPORATION		
Cleaver brooks boiler B-4	0.007 lbs/MMBtu	0.09
Cleaver brooks boiler B-5	0.007 lbs/MMBtu	0.14
VA power B-3 boiler	0.007 lbs/MMBtu	0.04
Chlorinated wax process	0.001 lbs/ton	0.003
Pyro-chek 68PB1	0.052 lbs/ton	0.030
Pyro-chek 77PB2	0.122 lbs/ton	0.040
Sulfurized fat process	0.157 lbs/ton	0.230
(21) THE CHINET COMPANY		
Molded pulp dryer number 1	0.546 lbs/ton	0.210
Molded pulp dryer number 2	0.546 lbs/ton	0.250
Molded pulp dryer number 3	0.546 lbs/ton	0.290
Molded pulp dryer number 4	0.546 lbs/ton	0.290
Molded pulp dryer number 5	0.546 lbs/ton	0.130
Molded pulp dryer number 6	0.546 lbs/ton	0.130
Molded pulp dryer number K34	0.546 lbs/ton	0.130
Molded pulp dryer number 8	0.546 lbs/ton	0.350
Molded pulp dryer number 9	0.546 lbs/ton	0.410

Molded pulp dryer number 10	0.546 lbs/ton	0.350
Babcock and Wilcox boiler	0.007 lbs/MMBtu	0.050
(22) LTV STEEL CORPORATION		
Stack serving number 3 blast furnace stoves	0.027 lbs/MMBtu	11.73
Stack serving number 4 blast furnace stoves	0.027 lbs/MMBtu	12.93
Stack serving hot strip mill slab heat furnace numbers 1, 2, and 3	0.086 lbs/MMBtu	36.56
Utility boiler number 3	0.066 lbs/MMBtu	12.85
Utility boiler number 4	0.066 lbs/MMBtu	12.85
Utility boiler number 5	0.066 lbs/MMBtu	25.69
Utility boiler number 6	0.066 lbs/MMBtu	25.69
Utility boiler number 7	0.066 lbs/MMBtu	25.69
Utility boiler number 8	0.066 lbs/MMBtu	61.59
Basic oxygen furnace main stack	0.018 gr/dscf	69.40
Reladling and desulfurization baghouse	0.008 gr/dscf	10.49
Ladle metallurgical station baghouse	0.004 gr/dscf	3.630
Sinter plant breaker discharge end	0.02 gr/dscf TSP	18.05 TSP
Sinter plant windbox stack 08	0.02 gr/dscf TSP	49.70 TSP
(23) UNILEVER HPC, USA		
Boiler house, building number 8, boiler number 2	0.116 lbs/MMBtu	9.570
Stack serving boiler house, building number 8, boiler numbers 3 and 4	0.116 lbs/MMBtu	18.88
Dowtherm boiler, DEFI process building 6	0.004 lbs/MMBtu	2.700
Milling and pelletizer soap dust collection system (DC-1), building number 15	0.020 gr/dscf	1.03
Powder dye dust collector system (DC-4), building number 15	0.020 gr/dscf	0.130
Schenble wet scrubber and demister collector system, building number 15	0.030 gr/dscf	1.030
Each stack serving detergent bar soap noodle bins numbers 1, 2, and 3 dust collection system (DC-5, DC-6, and DC-7)	0.020 gr/dscf	0.210
Stack serving chip mixers numbers 1, 2, and 3 soap dust collection system, building number 15 (DC-8, DC-9, and DC-10)	0.020 gr/dscf	0.720
Rework soap dust collection system (DC-3), building number 15	0.020 gr/dscf	0.800
Three chill rolls and apron conveyors (DC-2), building number 15	0.020 gr/dscf	1.090
High titer granules and chips manufacturing process, building number 6	0.930 lbs/ton	3.500
Detergent bar soap manufacturing process number 1, stack 7, building number 6	1.140 lbs/ton	4.000
Detergent bar soap manufacturing process number 2, stack 16A, building number 6	1.140 lbs/ton	4.000
Bulk filter unloading bleached earth dust collection system, building number 1	0.020 gr/dscf	0.070
Oil refinery/filter aid bag dumping operation, building number 1	0.020 gr/dscf	0.220
3 soap dryers dust collection system, building number 14	0.020 gr/dscf	0.120
6 noodle bins and 1 scrap kettle dust collection system, building number 3	0.020 gr/dscf	0.860
Dust collector system for soap rework grinding process, building number 14	0.020 gr/dscf	0.250
Stack serving hard soap finishing lines numbers 1, 2, 3, 5, 7, and 8 dust collection system (DC), building number 14	0.020 gr/dscf	1.540
Sulfonation process	0.205 lbs/ton	0.390
Soap dryer cleanout system, tank number 1, building number 14	0.030 gr/dscf	0.390
Soap dryer cleanout system, tank number 2, building number 14	0.030 gr/dscf	0.300
Crude glycerine filter aid dust collection system, building number 2	0.020 gr/dscf	0.130
Glycerine carbon handling dust collection system, building number 2	0.020 gr/dscf	0.170
Bulk urea handling system, new detergent bulk soap, building number 15A	0.020 gr/dscf	0.100
American hydrotherm boiler 2, stack 1A, building number 15A	0.150 lbs/MMBtu	1.830
Schenble wet scrubber and demister collection system, stack 2A, building number 15A	0.030 gr/dscf	1.030
Flex Kleen dust collection system DC-1053, stack 3A, building number 15A	0.020 gr/dscf	0.940
Flex Kleen dust collection system DC-1054, stack 4A, building number 15A	0.020 gr/dscf	0.940
Flex Kleen dust collection system DC-1055, stack 5A, building number 15A	0.020 gr/dscf	0.940
Flex Kleen dust collection system DC-1056, stack 6A, building number 15A	0.020 gr/dscf	0.940
Flex Kleen dust collection system DC-1050, stack 7A, building number 15A	0.020 gr/dscf	2.130
Flex Kleen dust collection system DC-1052, stack 8A, building number 15A	0.020 gr/dscf	2.130
Bulk Borax unloading to storage silo, stack 9A, building number 8	0.020 gr/dscf	0.130
Oil refinery/filter aid mixing tank number 44, building number 1, stack 15A	0.060 lbs/ton	0.030
Sample detergent bar soap line operation, building 14, stack 17A	0.002 lbs/ton	0.002
(24) MARBLEHEAD LIME COMPANY		
Flue dust loadout number 1 (MHL 14)	0.003 lbs/ton	0.110
Flue dust loadout number 2 (MHL 15)	0.003 lbs/ton	0.100
Lime grinder (MHL 13)	0.015 lbs/ton	0.440
Lime handling baghouse number 1 (MHL 6)	0.002 lbs/ton	0.260

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Lime handling baghouse number 2 (MHL 7)	0.002 lbs/ton	0.180
Lime handling baghouse number 3 (MHL 8)	0.0004 lbs/ton	0.050
Lime handling baghouse number 4 (MHL 9)	0.001 lbs/ton	0.130
Lime loadout baghouse number 1 (MHL 10)	0.0004 lbs/ton	0.050
Lime loadout baghouse number 2 (MHL 11)	0.0004 lbs/ton	0.050
Lime loadout baghouse number 3 (MHL 12)	0.004 lbs/ton	0.410
Lime rotary kiln number 1	0.478 lbs/ton	9.950
Lime rotary kiln number 2	0.478 lbs/ton	9.950
Lime rotary kiln number 3	0.478 lbs/ton	9.950
Lime rotary kiln number 4	0.478 lbs/ton	9.950
Lime rotary kiln number 5	0.478 lbs/ton	9.950
(25) MARPORT SMELTING		
North baghouse	0.601 lbs/ton	2.300
South baghouse	1.279 lbs/ton	4.900
(26) METHODIST HOSPITAL		
Boiler number 1	0.044 lbs/MMBtu	0.350
(27) NATIONAL RECOVERY SYSTEMS		
Drying system	0.203 lbs/ton	4.060
Material storage handling	0.034 lbs/ton	0.680
Each stack serving lime fines storage silos (two (2) stacks)	0.001 lbs/ton	0.012
(28) NIPSCO & MITCHELL		
(A) Boiler numbers 4, 5, 6, and 11:		
(i) Operation under either item (ii)(BB) or (ii)(CC) shall only be allowed provided that a nozzle is in the stack serving boiler numbers 4 and 5 such that the stack diameter is restricted to eight and three-tenths (8.3) feet.		
(ii) NIPSCO may operate under any one (1) of the following scenarios:		
(AA) Boiler numbers 4, 5, 6, and 11 may operate simultaneously under the following conditions:		
(aa) One (1) of boiler number 4 or 5 may operate on coal if the other boiler is operated on natural gas or is not operating. Particulate emissions from the stack serving boiler numbers 4 and 5 shall be limited to one-tenth (0.1) pound per million Btu and one hundred twenty-eight and seventy-five hundredths (128.75) pounds per hour.		
(bb) Boiler numbers 6 and 11 may operate simultaneously on coal. Particulate emissions from the stack serving boiler numbers 6 and 11 shall be limited to one-tenth (0.1) pound per million Btu and two hundred thirty-six (236) pounds per hour.		
(BB) Boiler numbers 4, 5, 6, and 11 may operate simultaneously on coal subject to the following conditions:		
(aa) Particulate emissions from the stack serving boiler numbers 4 and 5 shall be limited to seventy-four thousandths (0.074) pound per million Btu and one hundred eighty-five (185) pounds per hour.		
(bb) Particulate emissions from the stack serving boiler numbers 6 and 11 shall be limited to seventy-four thousandths (0.074) pound per million Btu and one hundred seventy-five (175) pounds per hour.		
(CC) One (1) set of either boiler numbers 4 and 5 or 6 and 11 may operate on coal, if the other set is not operating, subject to the following conditions:		
(aa) Particulate emissions from the stack serving boiler numbers 4 and 5 shall be limited to one-tenth (0.1) pound per million Btu and two hundred fifty (250) pounds per hour.		
(bb) Particulate emissions from the stack serving boiler numbers 6 and 11 shall be limited to one-tenth (0.1) pound per million Btu and two hundred thirty-six (236) pounds per hour.		
(iii) NIPSCO shall maintain a daily log of the following for boiler numbers 4, 5, 6, and 11:		
(AA) Fuel type.		
(BB) Transition time of changes between or within operating scenarios.		
The log shall be maintained for a minimum of five (5) years and shall be made available to the department and U.S. EPA upon request.		
(iv) Emission limits shall be maintained during transition periods within or between operating scenarios.		
(B) Upon the effective date of this amended rule, biennial stack testing shall be conducted in the stack serving boiler numbers 4 and 5 and in the stack serving boiler numbers 6 and 11, meeting the following conditions:		

(i) Stack testing shall begin within sixty (60) days and be completed within ninety (90) days of the initial ~~utilization~~ use of the operating scenario specified in clause (A)(ii)(BB). Particulate emissions from boiler numbers 4, 5, 6, and 11 shall be limited to seventy-four thousandths (0.074) pound per million Btu.

(ii) After the initial stack test specified in item (i), NIPSCO may ~~utilize~~ use the operating scenario specified in clause (A)(ii)(BB) if in the previous biennial stack test particulate emissions from boiler numbers 4, 5, 6, and 11 met the emission limitation of seventy-four thousandths (0.074) pound per million Btu.

(iii) If the operating scenario specified in clause (A)(ii)(BB) has not been ~~utilized~~ used since the previous biennial stack test specified in this clause, then particulate emissions from boiler numbers 4, 5, 6, and 11 shall be limited to one-tenth (0.1) pound per million Btu.

(iv) If the operating scenario specified in clause (A)(ii)(BB) has been ~~utilized~~ used since the previous biennial stack test specified in this clause, and NIPSCO no longer has the ability to operate the boilers as specified in clause (A)(ii)(BB), then particulate emissions from boiler numbers 4, 5, 6, and 11 shall be limited to one-tenth (0.1) pound per million Btu.

All emissions testing shall be conducted in accordance with the procedures specified in 326 IAC 3-6. Records of stack test data shall be maintained for a minimum of five (5) years and shall be made available to the department and U.S. EPA upon request.

(29) PREMIER CANDY COMPANY

Boiler number 1 (North)	0.069 lbs/MMBtu	0.420
Boiler number 2 (South)	0.069 lbs/MMBtu	0.450

(30) LASALLE STEEL COMPANY

Fume scrubber	0.015 lbs/ton	0.060
Number 11 furnace precipitator	0.548 lbs/ton	0.940
Stack serving shot blast baghouse (2 units)	0.001 lbs/ton	0.020

(31) REED MINERALS PLANT #14

Fluidized bed dryer	0.015 gr/dscf	3.5
Crushing and screening	0.015 gr/dscf	9.0

(32) RHODIA, INC.

Package boiler	0.007 lbs/MMBtu	0.755
Preheater	0.007 lbs/MMBtu	0.230
Sulfuric acid production unit number 4	0.150 lbs/ton acid produced	6.958 acid mist

(33) PRAXAIR

Cylinder paint spray booth, stack 033	42.5 lbs/ton	0.340
Drum+ shotblaster and baghouse, stack 075	0.002 gr/dscf	0.028
Drum paint spray booth, stack 073	42.5 lbs/ton	0.340
Cylinder shotblaster number 2 baghouse, stack 030	0.004 gr/dscf	0.042
Generators, numbers 1 through 6	0.008 lbs/MMBtu	0.279
Cylinder shotblaster number 1 baghouse, stack 031	0.002 gr/dscf	0.020

(34) UNION TANK CAR COMPANY

Grit blaster	0.002 lbs/ton 0.01 gr/dscf	0.020 10.03
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(35) U.S. GYPSUM COMPANY

Raw material handling		
Rail car unloading, stack J10	0.010 gr/dscf	0.070
Each stack serving raw material conveying and storage, stacks J11, J12, and J13	0.015 gr/dscf	0.190
Rock handling process		
Drying, grinding, and calcining, stack M1	0.012 gr/dscf	3.210
Stucco elevating and conveying, stack M2	0.015 gr/dscf	2.210
Franklin fiber process, stack M6	0.011 gr/dscf	0.313
Wallboard manufacturing process		
Paper grinding and stucco system, stack B1	0.020 gr/dscf	2.230
Wallboard end sawing, stack B2	0.020 gr/dscf	0.860
Speciality board manufacturing process (kerfing), stack B3	0.020 gr/dscf	0.260
Each stack serving ready mix process, stacks J1, J2, and J3	0.017 lbs/ton	0.100
Dry texture paint process		
Mixing and packing, stack J4	0.020 gr/dscf	0.190
Bag dumping, stack J5	0.010 gr/dscf	0.100
Dry additive conveying, stack J6	0.010 gr/dscf	0.030

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Dry joint compound process		
Mixing and packing, stack J7	0.020 gr/dscf	0.340
Additive air conveying, stack J8	0.010 gr/dscf	0.34
Panel saw process	0.020 gr/dscf	0.140
(36) USS Gary Works		
Each stack serving number 3 sinter plant coolers	0.03 gr/dscf TSP	154.3 TSP
Number 3 sinter plant discharge area baghouse	0.02 gr/dscf	5.12
Number 3 sinter plant screening station baghouse	0.0052 gr/dscf	7.5
S1/S2 baghouse	0.0052 gr/dscf	0.83
Number 3 sinter plant storage bins building baghouse	0.01 gr/dscf	1.300
Each stack serving number 3 sinter plant windbox stacks	0.065 gr/dscf TSP	167.1
Number 2 QBOP flux handling lime baghouse	0.01 gr/dscf	2.600
Coke battery number 2 underfire stack	0.05 gr/dscf	27.54
Coke battery number 3 underfire stack	0.05 gr/dscf	42.140
Coke battery number 5 underfire stack	0.05 gr/dscf	16.80
Coke battery number 7 underfire stack	0.05 gr/dscf	20.40
Each stack serving number 2 precarbon building precipitators (3 units)	0.06 gr/dscf	2.5
Each stack serving number 3 precarbon building precipitators (3 units)	0.06 gr/dscf	2.5
Each stack serving number 1 BOP gas cleaning (2 units)	0.02 gr/dscf	17.2
Each stack serving number 2 QBOP gas cleaning (2 units)	0.02 gr/dscf	18.20
Number 2 QBOP hot metal desulfurization baghouse (8 stacks)	0.0052 gr/dscf	1.44
New 2 QBOP secondary baghouse	0.0052 gr/dscf	25.9
Number 1 basic oxygen furnace iron desulfurization baghouse	0.01 gr/dscf	9.32
Number 2 QBOP ladle metal baghouse number 1	0.01 gr/dscf	6.86
Number 2 QBOP ladle metal baghouse number 2	0.01 gr/dscf	2.44
Number 2 QBOP ladle metallurgy facility number 3 reheat furnace hot fume extraction and material handling baghouse	0.01 gr/dscf	4.33
Number 13 blast furnace sinter screening station number 13 baghouse	0.02 gr/dscf	2.5
Stack serving blast furnace stove number 4	0.029 lbs/MMBtu	11.60
Stack serving blast furnace stove number 6	0.029 lbs/MMBtu	11.6
Stack serving blast furnace stove numbers 7 and 8	0.029 lbs/MMBtu	23.20
Stack serving blast furnace stove number 13	0.015 lbs/MMBtu	21.20
Each stack serving boiler house number 4	0.036 lbs/MMBtu	13.155
Number 2 coke plant boiler house, boiler number 3	0.020 lbs/MMBtu	2.7
Stack serving number 2 coke plant boiler house, boiler numbers 4 and 5	0.033 lbs/MMBtu	10.0
Number 2 coke plant boiler house, boiler number 6	0.020 lbs/MMBtu	3.000
Number 2 coke plant boiler house, boiler number 7	0.011 lbs/MMBtu	1.800
Number 2 coke plant boiler house, boiler number 8	0.011 lbs/MMBtu	2.61
Each stack serving turboblower boiler numbers 1 through 5	0.025 lbs/MMBtu	8.400
Turboblower boiler number 6	0.025 lbs/MMBtu	16.58
Each stack serving 84 inch hot strip mill, reheat furnaces (four (4) units)	0.064 lbs/MMBtu	28.2
84 inch hot strip mill, waste heat boiler number 1	0.064 lbs/MMBtu	10.9
84 inch hot strip mill, waste heat boiler number 2	0.064 lbs/MMBtu	12.8
Each stack serving 160/210 inch plate mill, batch reheat furnace numbers 1 through 4	0.011 lbs/MMBtu	0.33
160/210 inch plate mill, continuous reheat furnace number 1	0.011 lbs/MMBtu	2.75
160/210 inch plate mill, continuous reheat furnace number 2	0.011 lbs/MMBtu	2.75
Stack serving 160/210 inch continuous heat treating furnaces 1, 2, 3, and 4	0.011 lbs/MMBtu	1.1

(e) The following opacity limits shall be complied with and shall take precedence over those in 326 IAC 5-1-2 ~~with which when~~ they conflict:

<u>Source</u>	<u>Opacity</u>
INLAND STEEL	
Electric arc furnace direct shell evacuation system baghouse	5%, 6 minute average
Electric furnace shop roof monitor	20%, 6 minute average
Electric furnace shop ladle metallurgical station baghouse	5%, 6 minute average
Number 2 basic oxygen furnace, number 10 furnace off-gas scrubber	20%, 6 minute average
Number 2 basic oxygen furnace, number 20 furnace off-gas scrubber	20%, 6 minute average
Number 2 basic oxygen furnace caster fume collection baghouse	5%, 3 minute average
Number 2 basic oxygen furnace charging isle and reladling desulfurization baghouse	5%, 3 minute average

Number 2 basic oxygen furnace flux storage and batch baghouse	5%, 3 minute average
Number 2 basic oxygen furnace ladle metallurgy station baghouse	5%, 3 minute average
Number 2 basic oxygen furnace roof monitor	20%, 3 minute average
Number 2 basic oxygen furnace secondary ventilation system scrubber	20%, 6 minute average
Number 2 basic oxygen furnace truck and ladle hopper baghouse	5%, 3 minute average
Number 2 basic oxygen furnace tundish dump baghouse	5%, 3 minute average
Number 4 basic oxygen furnace off-gas scrubber	20%, 6 minute average
Number 4 basic oxygen furnace reladling and desulfurization baghouse	5%, 3 minute average
Number 4 basic oxygen furnace roof monitor	20%, 3 minute average
Number 4 basic oxygen furnace secondary ventilation system baghouse	5%, 3 minute average
Number 4 basic oxygen furnace vacuum degassing material handling baghouse	5%, 3 minute average
Number 7 blast furnace casthouse	15%, 6 minute average
LTV STEEL CORPORATION	
Basic oxygen furnace ladle metallurgical station baghouse	5%, 3 minute average
Basic oxygen furnace main stack	20%, 6 minute average
Basic oxygen furnace reladling and desulfurization baghouse	5%, 3 minute average
Basic oxygen furnace shop roof monitor	20%, 3 minute average
USS Gary Works	
Number 1 basic oxygen furnace iron desulfurization baghouse	5%, 3 minute average
Number 1 basic oxygen furnace roof monitor	20%, 3 minute average
Number 1 basic oxygen process gas cleaning (two (2) units)	20%, 6 minute average
Number 2 QBOP hot metal desulfurization baghouse	5%, 3 minute average
Number 2 QBOP gas cleaning	20%, 6 minute average
Number 2 QBOP roof monitor	20%, 3 minute average
Number 2 QBOP flue handling line baghouse	5%, 3 minute average
New 2 QBOP secondary baghouse	5%, 3 minute average
Number 2 QBOP ladle metallurgy baghouse number 1	5%, 3 minute average
Number 2 QBOP ladle metallurgy baghouse number 2	5%, 3 minute average

(f) Test methods for this section shall be as follows:

(1) Emissions of PM₁₀ shall be measured by any of the following methods:

(A) 40 CFR 51, Appendix M, Method 201*.

(B) 40 CFR 51, Appendix M, Method 201A*.

(C) The volumetric flow rate and gas velocity shall be determined in accordance with 40 CFR 60, Appendix A, Method 1, 1A, 2, 2A, 2C, 2D, 3, or 4*.

(2) Emissions for TSP matter shall be measured by the following methods:

(A) 40 CFR 60, Appendix A, Method 5, 5A, 5D, 5E, or 17*. Method 17 may not be used when the stack gas temperature exceeds two hundred forty-eight degrees Fahrenheit (248°F), ~~(±259°F)~~ **plus or minus twenty-five (25) degrees Fahrenheit.**

(B) The volumetric flow rate and gas velocity shall be determined in accordance with 40 CFR 60, Appendix A, Method 1, 1A, 2, 2A, 2C, 2D, 3, or 4*.

(3) Measurements of opacity shall be conducted in accordance with 40 CFR 60, Appendix A, Method 9*, except for those sources where a three (3) minute averaging time is required. Sources requiring a three (3) minute averaging time are subject to all parts of Method 9 except the six (6) minute averaging provision. In these cases, the opacity shall be determined as an average of twelve (12) consecutive observations recorded at fifteen (15) second intervals.

(4) Emissions of sulfuric acid mist shall be measured in accordance with 40 CFR 60, Appendix A, Method 8*.

(5) Compliance with the mass emission limits for the sinter plant windbox stacks at USS Gary in subsection (d) shall be determined by the simultaneous sampling and analysis of both noncondensibles

(front half) and condensibles (back half) particulate matter. The quantity of noncondensibles particulate matter in the gas stream shall be determined in accordance with the procedures specified in 40 CFR 60, Appendix A, Method 5*. The quantity of condensible particulate matter in the gas stream shall be determined in accordance with 40 CFR 51, Appendix M, Method 202*, with the following modifications:

(A) A heated Method 5* out of stack filter shall be used instead of an in-stack filter.

(B) The impinger system shall consist of five (5) impingers. The first three (3) impingers shall contain one hundred (100) milliliters of deionized water, the fourth shall be empty, and the fifth shall contain silica gel.

(C) The first four (4) impingers shall be used to determine the quantity of condensible particulate emissions.

Compliance shall be achieved if the sum of the front half and the back half is less than or equal to the mass emission limit of one hundred sixty-seven and one-tenth (167.1) lbs/hr, and the front half catch is less than or equal to the mass concentration limit of sixty-five thousandths (0.065) gr/dscf in subsection (d).

(g) The installation and operation of opacity continuous emissions monitors shall be conducted according to procedures specified in 326 IAC 3. Prior to December 10, 1993, the following facilities shall have a continuous emission monitor for opacity installed and operating:

(1) Coke battery underfire stacks at USS.

(2) LTV: basic oxygen furnace precipitator main stack.

(3) USS: numbers 2 and 3 precarbon building preheating and drying line exhaust gas precipitators (six (6) units). One (1) opacity

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continuous emission monitor shall be installed prior to December 10, 1993. The remaining five (5) opacity continuous emission monitors shall be installed prior to December 31, 1994. Based on an evaluation of the technical feasibility of operation of the first monitor on one (1) line, USSteel may petition for a one (1) year extension of the requirement to install the remaining five (5) monitors or for a waiver

for installation and operation of the six (6) opacity continuous emission monitors. USSteel shall include information on the moisture content of the gases and their effect on accurate opacity measurements as part of the petition.

(h) The following combustion sources shall fire natural gas only:

<u>Source</u>	<u>Units</u>	<u>lbs/hr</u>
(1) JUPITER ALUMINUM CORPORATION		
Number 2 annealer	0.003 lbs/MMBtu	0.048
Number 3 annealer	0.003 lbs/MMBtu	0.048
Annealing furnace	0.003 lbs/MMBtu	0.040
Boiler	0.003 lbs/MMBtu	0.010
(2) SILGAN CONTAINERS MANUFACTURING CORPORATION		
Stack serving basecoat ovens (six (6) units)	0.003 lbs/MMBtu	0.210
Boiler number 4	0.003 lbs/MMBtu	0.010
Stack serving boiler numbers 1, 2, and 3	0.003 lbs/MMBtu	0.170
Stack serving Johnson space heater numbers 1 through 4	0.003 lbs/MMBtu	0.060
Stack serving litho ovens (five (5) units)	0.003 lbs/MMBtu	0.150
(3) CERESTAR USA, INCORPORATED		
Boiler number 1	0.003 lbs/MMBtu	0.288
Boiler number 2	0.003 lbs/MMBtu	0.468
South dextrin furnace number 1	0.003 lbs/MMBtu	0.023
North dextrin furnace number 2	0.003 lbs/MMBtu	0.023
(4) AMERICAN STEEL FOUNDRY-HAMMOND		
Boiler number 4-5509	0.003 lbs/MMBtu	0.030
Furnaces	0.003 lbs/MMBtu	0.16
(5) AMOCO OIL, WHITING REFINERY		
F-100 marine docks distillate heater	0.003 lbs/MMBtu	0.020
(6) SMITH READY MIX		
Stack serving two (2) boiler units	0.003 lbs/MMBtu	0.035
(7) STATE LINE ENERGY, LLC		
Stack serving emergency backup boiler numbers 2-1 and 2-2	0.003 lbs/MMBtu	0.900
(8) E.I. DUPONT		
Power house (one (1) unit)	0.003 lbs/MMBtu	0.100
(9) GATX-GEN AMER TRANS		
Stress relief furnace	0.003 lbs/MMBtu	0.120
(10) GENERAL REFRACTORY		
Tunnel kiln	0.003 lbs/MMBtu	0.040
(11) HAMMOND GROUP, INC. (HGI)		
Stack 18-S-24	0.003 lbs/MMBtu	0.025
Stack 18-S-49	0.003 lbs/MMBtu	0.025
(12) HAMMOND GROUP, INC.-HALSTAB DIVISION		
Stack S-18	0.003 lbs/MMBtu	0.008
Stack S-19	0.003 lbs/MMBtu	0.008
(13) INLAND STEEL		
12 inch bar mill reheat furnace	0.003 lbs/MMBtu	1.090
Stack serving 21 inch bar mill reheat furnace numbers 1 and 2	0.003 lbs/MMBtu	1.31
Stack serving 76 inch hot strip mill reheat furnace numbers 1, 2, and 3	0.003 lbs/MMBtu	1.310
Stack serving 80 inch hot strip mill furnace numbers 3 and 4	0.003 lbs/MMBtu	3.980
Number 3 cold strip and numbers 5 and 6 annealing furnaces	0.003 lbs/MMBtu	0.987
Number 5 galvanizing line	0.003 lbs/MMBtu	0.44
Number 3 continuous anneal line	0.003 lbs/MMBtu	0.25
Open coil anneal	0.003 lbs/MMBtu	0.25
Plant 1 galvanizing lines	0.003 lbs/MMBtu	0.51
Normalizing line	0.003 lbs/MMBtu	0.13

(14) LTV STEEL CORPORATION

Hot strip space heater numbers 1 through 28	0.003 lbs/MMBtu	0.250 TSP
Sheet mill number 2 portable annealing furnace numbers 1 through 23	0.003 lbs/MMBtu	1.100 TSP
Sheet mill number 2 space heater numbers 1 through 7	0.003 lbs/MMBtu	0.050 TSP
Sheet mill number 3 open coil annealing furnace numbers 1 through 3	0.003 lbs/MMBtu	0.031 TSP
Number 3 sheet mill annealing furnace numbers 1 through 7	0.003 lbs/MMBtu	0.071 TSP
Number 3 sheet mill annealing furnace numbers 1 through 11	0.003 lbs/MMBtu	0.520 TSP
Sheet mill number 2, annealing and galvanizing furnace numbers 2 through 5	0.003 lbs/MMBtu	1.280 TSP
Sheet mill number 2, CRSM boiler numbers 7 and 8	0.003 lbs/MMBtu	0.290 TSP
Number 2 cold reduced strip mill, number 2 galvanizing line, numbers 1 and 2 flame furnaces	0.003 lbs/MMBtu	0.500
Number 2 sheet mill galvanizers 1 and 2	0.003 lbs/MMBtu	0.265 TSP

(15) UNILEVER HPC, USA

American hydrotherm boiler number 1	0.003 lbs/MMBtu	0.040
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(16) NIPSCO & MITCHELL

Number 9A gas turbine	0.003 lbs/MMBtu	0.660
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(17) PRAXAIR

Package boilers (two (2) units)	0.003 lbs/MMBtu	0.618
Plants numbers 6, 7, and 8 regenerator heaters	0.003 lbs/MMBtu	0.097

(18) UNION TANK CAR CO.

Boiler house, north	0.003 lbs/MMBtu	0.110
Boiler house, south	0.003 lbs/MMBtu	0.110
Number 4 boiler	0.003 lbs/MMBtu	0.020
Number 8 boiler	0.003 lbs/MMBtu	0.010
North stress furnace	0.003 lbs/MMBtu	0.160
Stack serving paint oven unit numbers 1 through 5	0.003 lbs/MMBtu	0.060
South stress furnace	0.003 lbs/MMBtu	0.160

(19) U.S. GYPSUM COMPANY

Each stack serving wallboard drying furnace, stacks B4, B5, and B6	0.003 lbs/MMBtu	0.068
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(20) USS & Gary Works

Electro galvanizing boiler	0.003 lbs/MMBtu	0.110
Number 2 coke plant boiler house, boiler number 1	0.003 lbs/MMBtu	0.385
Number 2 coke plant boiler house, boiler number 2	0.003 lbs/MMBtu	0.385
Tin mill boiler number 5	0.003 lbs/MMBtu	0.480
Tin mill boiler number 1	0.003 lbs/MMBtu	0.240
Tin mill boiler number 2	0.003 lbs/MMBtu	0.240
Stack serving tin mill boiler numbers 3 and 4	0.003 lbs/MMBtu	0.830
160/210 inch plate mill, car bottom heat treating furnace	0.003 lbs/MMBtu	0.070
160/210 inch plate mill, car bottom normalizing furnace	0.003 lbs/MMBtu	0.070
160/210 inch plate mill, keep hot pits	0.003 lbs/MMBtu	0.090

(i) (Reserved)

(j) (Reserved)

(k) This subsection lists site-specific control requirements. For any facility with a compliance date after December 10, 1993, the company shall submit a schedule for meeting the final compliance date containing milestones for purchase and installation of the equipment and for the operational changes required to assure compliance with the applicable standard prior to the final compliance date. The schedule shall be submitted to the department and to U.S. EPA prior to December 10, 1993. A violation of any milestone in the submitted schedule constitutes a violation of this rule. The sources listed shall meet the requirements as follows:

- (1) The following **requirements** for Cerestar USA, Incorporated:
 - (A) Starch dryer number 1 shall be permanently shut down by December 31, 1993.

(B) Starch dryer number 2 stack height shall be increased from eighteen and three-tenths (18.3) meters to thirty (30) meters by December 10, 1993.

(C) Dextrin manufacturing systems 1 through 7 shall be permanently shut down by December 31, 1993.

(D) After December 10, 1993, Cerestar USA, Incorporated shall achieve compliance with the respective limits in subsection (d). The following mass emission limits shall be applicable until December 10, 1993:

<u>Process</u>	<u>Units</u>	<u>Emission Limit</u>
Each stack serving dextrin manufacturing equipment systems numbers 1 through 7	1.000 lbs/ton	0.50 lbs/hr
Starch flash feed dryer number 1 scrubber	0.086 lbs/ton	8.69 TSP

(2) American Steel FoundrytHammond. The PM₁₀ mass emission limit in subsection (d) for coil spring grinder numbers 3-0244, 3-0386, 3-0389, 3-0247, 3-0385, 3-0295, and 3-0233 shall be complied with no later than December 31, 1993, and shall be maintained thereafter. The source shall either improve the efficiency of the existing control equipment or replace the existing control equipment with higher efficiency control equipment to comply with emission limits specified in subsection (d).

(3) State Line Energy, LLC. Units 3 and 4 shall comply with:

(A) a thirty percent (30%), six (6) minute average opacity limit until December 31, 1992;

(B) a twenty-five percent (25%), six (6) minute average opacity limit from January 1, 1993, to December 31, 1993; and

(C) a twenty percent (20%), six (6) minute average opacity limit after December 31, 1993.

(4) Hammond Group, Inc. (HGI)tHalox plant. The stack heights of stacks 17-S-25 and 17-S-40 shall be raised to twenty-one and three-tenths (21.3) meters above grade by December 10, 1993.

(5) The following for Inland Steel:

(A) Number 2 BOF facility roof monitor. The twenty percent (20%), three (3) minute average opacity standard in subsection (e) shall be achieved no later than December 31, 1994, and shall be maintained thereafter. Prior to December 31, 1994, the opacity standard shall be the thirty percent (30%), six (6) minute average. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9*, except that the three (3) minute, twenty percent (20%) opacity standard shall be determined as an average of twelve (12) consecutive observations recorded at fifteen (15) second intervals.

(B) Numbers 8 and 11 coke batteries. Operation of the number 8 coke battery and its underfire stack and number 11 coke battery and its associated quench tower, underfire stack, and preheater stacks shall be permanently discontinued before December 31, 1992.

(C) Number 10 coke battery. After the shutdown of the number 8 coke battery, the electrostatic precipitator associated with the number 8 coke battery shall be connected to the number 10 coke battery prior to December 31, 1992.

(D) Numbers 6, 7, 9, and 10 coke batteries. These coke batteries and associated quench towers and underfire stacks shall not operate after December 31, 1994. Prior to December 31, 1994, these coke batteries shall meet the requirement of section 10.2 of this rule with the following exceptions:

(i) There shall be no visible emissions from more than ten percent (10%) of the standpipes on operating ovens on a battery.

(ii) Visible emissions shall not exceed twenty percent (20%) averaged over six (6) consecutive observations during any pushing operation.

(iii) Mass emissions from the coke battery underfire stacks shall not exceed fifty-thousandths (0.050) gr/dscf.

(E) Number 4 BOF facility roof monitor. The twenty percent (20%), three (3) minute average opacity standard in subsection (e) shall be achieved no later than December 31, 1994, and shall be maintained thereafter. Prior to December 31, 1994, the opacity standard shall be the twenty-five percent (25%), six (6) minute average.

(F) Number 7 blast furnace casthouse. Tapping emissions from the number 7 blast furnace casthouse shall be controlled by a hood vented to a baghouse on and after December 1, 1992. Canopy hoods shall be installed above each of the four (4) furnace tap holes. The hoods shall be ducted to a new three

hundred seventy thousand (370,000) actual cubic feet per minute minimum design flow rate baghouse. Each hood shall be located just above the casthouse crane and extend via vertical sheeting to the casthouse roof. The system shall provide a minimum of one hundred eighty-five thousand (185,000) actual cubic feet per minute of air flow (fume capture) to each hood, when the corresponding tap hole is being drilled or plugged.

(G) Number 2 bloom mill soaking pits. The soaking pits shall not operate after December 31, 1992.

(H) Prior to December 31, 1994, Inland Steel shall comply with a thirty percent (30%), six (6) minute average opacity limit for the electric arc furnace roof monitor. On and after December 31, 1994, Inland Steel shall comply with the roof monitor opacity limit specified in subsection (e). Prior to December 31, 1994, Inland Steel shall do the following:

(i) Perform tests according to procedures developed in consultation with the department to establish process and control equipment operating procedures and to establish control system fan motor ampere and damper position or volumetric flow rates through each separately ducted hood and/or duct used to capture emissions during the electric arc furnace charging, tapping, and refining process.

(ii) Install the required monitoring equipment in consultation with the department regarding its accuracy and precision position.

(iii) Record the start time and duration of charging, tapping, and refining of each heat.

(I) After December 31, 1994, the sources shall comply with the respective limits contained in subsection (d). The following mass emission limits will be applicable until December 31, 1994:

<u>Inland Steel Processes</u>	<u>Emission Limit (Units)</u>	<u>Emission Limit (lbs/hr)</u>
Number 6 coke battery underfire stack	0.271 lbs/ton coal	9.840
Number 7 coke battery underfire stack	0.267 lbs/ton coal	15.580
Number 9 coke battery underfire stack	0.406 lbs/ton coal	19.180
Number 10 coke battery underfire stack	0.371 lbs/ton coal	27.81
Stack serving 21 inch bar mill reheat furnace numbers 1 and 2	0.29 lbs/MMBtu	12.95
Number 4 slabber soaking pit numbers 1 through 18 collective	0.0 lbs/MMBtu	0.0
Number 4 slabber soaking pit numbers 19 through 45 collective	0.031 lbs/MMBtu	9.190
Number 3AC station boiler numbers 301 through 304	0.023 lbs/MMBtu	20.45
Number 3AC station boiler number 305	0.023 lbs/MMBtu	6.82

(6) The following **requirements** for LTV Steel Corporation:

(A) Basic oxygen furnace facility roof monitor. The twenty percent (20%), three (3) minute average opacity standard in subsection (e) shall be achieved no later than December 10, 1993, and shall be maintained thereafter. Prior to December 10, 1993, the opacity standard shall be twenty percent (20%), except for one (1) three (3) minute average per hour.

(B) Number 4 blast furnace. Compliance with the opacity limit

shall be achieved no later than February 1, 1994, and shall be maintained thereafter. Also, control equipment capable of capturing and collecting emissions generated at the east and west tilting runner spouts and tap holes shall be installed and operational by February 1, 1994.

- (7) NIPSCO & Mitchell. Units 5 and 6 shall comply with the following:
- (A) Thirty percent (30%), six (6) minute average opacity limit until December 31, 1992.
 - (B) Twenty-five percent (25%), six (6) minute average opacity limit from January 1, 1993, to December 10, 1993.
 - (C) Twenty percent (20%), six (6) minute average opacity limit after December 10, 1993.
- (8) The following **requirements** for USS & Gary Works:
- (A) Numbers 15 and 16 coke batteries. The coke batteries and all associated operations shall not operate after the effective date of this section.
 - (B) Number 13 blast furnace casthouse roof monitor. The twenty percent (20%), six (6) minute average opacity standard shall be achieved no later than December 31, 1994, and shall be maintained thereafter. Prior to December 31, 1994, the blast furnace casthouse shall comply with a thirty percent (30%) opacity, six (6) minute rolling average standard.
 - (C) Number 1 basic oxygen furnace facility roof monitor. The twenty percent (20%), three (3) minute average opacity standard in subsection (e) shall be achieved no later than December 31, 1996, and shall be maintained thereafter. Prior to December 31, 1996, the following opacity standards shall apply:
 - (i) Prior to January 1, 1995, the instantaneous opacity shall not exceed thirty percent (30%) opacity except for an aggregate of six (6) minutes per hour. Twenty-four (24) instantaneous opacity readings greater than thirty percent (30%) within any sixty (60) minute period shall be considered a six (6) minute aggregate.
 - (ii) For the period of January 1, 1995, through December 31, 1995, the instantaneous opacity shall not exceed twenty-five percent (25%) opacity, except for an aggregate of six (6) minutes per hour.
 - (iii) For the period of January 1, 1996, through December 30, 1996, the instantaneous opacity shall not exceed twenty-five percent (25%) opacity, except for an aggregate of five (5) minutes per hour. Twenty (20) instantaneous opacity readings greater than thirty percent (30%) within any sixty (60) minute period shall be considered a five (5) minute aggregate.
 - (D) Number 2 QBOP facility roof monitor. The twenty percent (20%), three (3) minute average opacity standard in subsection (e) shall be achieved no later than December 31, 1994, and shall be maintained thereafter. Prior to December 31, 1994, the instantaneous opacity shall not exceed thirty percent (30%) opacity except for an aggregate of eight (8) minutes per hour. Thirty-two (32) instantaneous opacity readings greater than thirty percent (30%) within any sixty (60) minute period shall be considered an eight (8) minute aggregate.
 - (E) Number 2 coke plant boilers. Only four (4) of the number 2 coke plant boilers may operate using coal or coke oven gas at the same time. If more than four (4) boilers are in operation, all but four (4) shall use natural gas.
 - (F) Eighty-four (84) inch hot strip mill. Actual heat input derived from coke oven gas and fuel oil shall not exceed a total of four hundred seventy-seven million (477,000,000) British thermal units per hour for waste heat boiler number 1 and furnace numbers 1 and 2 combined and a total of five hundred seven million (507,000,000) British thermal units per hour for

waste heat boiler 2 and furnaces 3 and 4 combined. The remainder of the actual heat input shall be obtained by burning natural gas. A total actual heat input shall not exceed four hundred forty million (440,000,000) British thermal units per hour for each furnace, one hundred seventy million (170,000,000) British thermal units per hour for waste heat boiler number 1, and two hundred million (200,000,000) British thermal units per hour for waste heat boiler number 2.

(G) Only two (2) of the three (3) sinter lines shall operate at any one (1) time. For each line, USS & Gary Works shall maintain the following records in regard to the sinter plant operation:

- (i) Startup and shutdown time.
- (ii) Average hourly production rate.
- (iii) The cause of any malfunction and the correction taken.

(H) Number 2 coke plant boiler house boilers numbers 4, 5, and 6. A ninety (90) day written notice shall be given to the department and U.S. EPA in the event of switching fuels from gas to coal. In addition, continuous opacity emission monitors must be installed prior to the fuel switch.

(I) Beach iron dumping and process vessel maintenance activities subject to subsection (p)(3)(F)(i) and (p)(3)(F)(ii) shall comply with the applicable twenty percent (20%) opacity limitation no later than December 31, 1994. The schedule for compliance submitted by December 10, 1993, shall establish milestones that achieve final compliance as soon as practical, but no later than December 31, 1994.

(J) Number 5 quench tower will comply with the ninety-five percent (95%) baffle requirement under section 10.2(c)(7)(F) of this rule no later than December 10, 1993.

(1) The continuous compliance plan (CCP) for sources listed in subdivisions (1) through (21) shall contain information on the facilities included in subsections (d) and (e). The following sources shall submit a CCP to the department by December 10, 1993:

- (1) American Steel Foundries East Chicago.
- (2) American Steel Foundry Hammond.
- (3) Amoco Oil Company.
- (4) Buckco Construction.
- (5) Cerestar USA, Incorporated.
- (6) Globe Industries.
- (7) Hammond Group, Inc. (HGI).
- (8) Harbison Walker Refractories, Hammond Works.
- (9) Inland Steel.
- (10) LTV Steel Corporation.
- (11) Marblehead Lime Company.
- (12) Marport Smelting.
- (13) National Recovery Systems.
- (14) NIPSCO & Mitchell.
- (15) Reed Minerals.
- (16) Rhodia, Inc.
- (17) State Line Energy, LLC.
- (18) Unilever HPC, USA.
- (19) U.S. Gypsum Company.
- (20) USS & Gary Works.
- (21) A CCP shall also be submitted by any source in Lake County for facilities that meet the following conditions:

(A) Boilers with heat input capacity equal to or greater than twenty-five million (25,000,000) British thermal units per hour, singly or in combination, that vent through a single stack. Facilities, including boilers and reheat furnaces, configured to burn only natural gas, blast furnace gas, or coke oven gas, or a combination of these gases, are exempt.

(B) Facilities that perform manufacturing operations in a building or structure such that the total uncontrolled PM₁₀ emissions from all such operations amount to ten (10) tons per year or more and that could potentially escape into the atmosphere through roof vents and other openings. The uncontrolled PM₁₀ emissions shall be estimated with AP-42, "Compilation of Air Pollutant Emission Factors, Volume I, (Stationary Point and Area Sources)", Fifth Edition, January 1995 ~~(and succeeding amendments ** *)~~, **Supplements A through G, December 2000*** emission factors or other documentable emission factors acceptable to the commissioner **and U.S. EPA.**

(C) Each facility, not otherwise required to submit a CCP in accordance with this subsection, with uncontrolled PM₁₀ or TSP emissions that may exceed one hundred (100) tons per year based on eight thousand seven hundred sixty (8,760) hours of operation and AP-42 emission factors or other documentable emission factors acceptable to the commissioner **and U.S. EPA.**

(m) The CCP shall contain, for the facilities specified in subsection (l), documentation of operation and maintenance practices of process operations and any particulate matter control equipment existing or required to be installed, replaced, or improved by subsection (k) that are essential to maintaining compliance with the mass and opacity limits specified in subsections (d) and (e) and 326 IAC 5-1.

(n) The CCP shall include the following:

- (1) A list of the processes and facilities at the source.
- (2) A list of the particulate matter control equipment associated with the processes and facilities listed in subsection (l).
- (3) The process operating parameters critical to continuous compliance with the applicable PM₁₀ or TSP mass and opacity limits, including applicable specific requirements listed in subsection (p).
- (4) The particulate matter control equipment operating parameters critical to continuous compliance with the applicable PM₁₀ or TSP mass and opacity including applicable requirements listed in subsection (q).
- (5) The specific monitoring, recording, and record keeping procedures for process and control equipment for each facility in the CCP specified in subdivisions (1) and (2).
- (6) The procedure used to assure that adequate exhaust ventilation is maintained through each duct at facilities where emissions are captured by a collection hood and transported to a control device.

(o) A CCP for a source to which subsection (k) applies shall contain a schedule for complying with the requirements of subsection (k). The schedule shall list specific compliance dates for the following actions:

- (1) Submittal of plans.
- (2) Start of construction.
- (3) Completion of construction.
- (4) Achieving compliance.
- (5) Performing compliance tests.
- (6) Submitting compliance test results.

(p) A source or facility to which subsection (l) applies and which belongs to any source category listed in this subsection shall include the following information or applicable procedures, or commit to the following actions, in its CCP:

- (1) For lime plants, monitor opacity at the kilns and control system vents during normal operation of the kiln with a continuous emission monitor or through self-monitoring of opacity. 40 CFR 60, Appendix A, Method 9* should be used to determine opacity if the facility is controlled by a positive pressure fabric filter.
- (2) For petroleum refineries, continuously monitor opacity of

exhaust gases and monitor the coke burn-off rate in pounds per hour from fluid catalytic cracking unit catalyst regenerators.

(3) Steel mill CCPs shall include, as a minimum, the following:

(A) Basic oxygen process (BOP, BOF, QBOP), including the following:

(i) Describe the capture and control devices used to control particulate emissions from each phase of the steel production cycle, including the furnace, hot metal transfer, hot metal desulfurization, and kish removal. The description shall include the locations within the facility of these operations in relation to capture hoods, control devices, roof vents, and other building openings.

(ii) Describe any fume suppression system, including the process or emission point being controlled, the location within the facility, the inert gas or steam application rate, and the monitoring method. As used in this item, "fume suppression system" means the equipment comprising any system used to inhibit the generation of emissions from steelmaking facilities with an inert gas, flame, or steam blanket applied to the surface of molten iron or steel.

(iii) Describe the procedure for recording furnace charging and tapping time, amount of throughput, and amount of steel produced.

(iv) Describe the off-gas system leak detection and repair record keeping practices.

(v) Describe the procedures used to minimize dirt and debris accumulation on the facility floor.

(vi) Describe practices that reduce PM₁₀ and TSP emissions escaping the primary or secondary hood during scrap charging and hot metal charging tapping steel and dumping slag.

(vii) At least monthly, inspect the operational status of the following elements of the capture system **and maintain records of the inspections and any repairs:**

- (AA) Pressure sensors.
- (BB) Dampers.
- (CC) Damper switches.
- (DD) The hood and ductwork for the presence of holes.
- (EE) Ductwork for accumulation of dust.
- (FF) Fans for erosion.

Maintain records of the inspections and any repairs:

(B) Electric arc furnace, including the following:

(i) List the furnace operating sequences to be followed in case of multivessel operation. Describe the capture and control devices used to control particulate emissions in each phase of the steel production cycle, including exhaust rate and dampers, blast gates, instrumentation operation, and control. Include a drawing that shows:

- (AA) the location of the furnace within the facility in relation to capture hoods and control devices, roof vents, and other building openings; and
- (BB) the location of other processes within the facility that have potential to generate emissions, **such as including, but not limited to,** casting and ladle repair.

(ii) Describe the procedure for recording the following:

- (AA) Time of furnace charging, furnace melting, and furnace refining.
- (BB) Tapping start and stop times.
- (CC) Charge weight for each heat.
- (DD) Tap weight for each heat.

(iii) At least monthly, inspect the operational status of the following elements of the capture system **and maintain records of the inspections and any repairs:**

- (AA) Pressure sensors.
- (BB) Dampers.
- (CC) Damper switches.
- (DD) Hood and ductwork for the presence of holes.
- (EE) Ductwork for accumulation of dust.
- (FF) Fans for erosion.

Maintain records of the inspections and any repairs:

- (iv) Describe procedures used to minimize dirt and debris accumulation on the facility floor.
- (v) Once per heat, either check and record the control system fan motor ampere and damper position or monitor flow rate through each separately ducted hood and/or duct used to capture emissions from the electric arc furnace operation.
- (vi) Take visible emission readings of the direct shell evacuation system and the roof monitor at least once a day. The readings shall be taken during one (1) single steel production cycle and will be concurrent with the observations in subsection (k)(5)(H)(iii). The opacity observations shall be taken according to 40 CFR 60, Appendix A, Method 9* and consist of at least one (1) six (6) minute observation each during charging and tapping and three (3) six (6) minute observations during melting and refining.
- (vii) Report to the department on a quarterly basis control system fan motor amperage values that exceed fifteen percent (15%) of the value or operation at volumetric flow rates lower than those established during the performance test in subsection (k)(5)(H)(i). Operation above these values may be considered as unacceptable operation of the electric arc furnace equipment and the emissions capture and control system by the commissioner. Unless alternative values are established according to the procedures prescribed in subsection (l).
- (viii) Keep a record of any process and control equipment upsets, malfunctions, or activities within the electric arc furnace facility that may have resulted in excessive emissions. The records shall consist of the nature of event, time, and duration.

(C) Iron production that includes a blast furnace shall comply with the following:

- (i) Describe procedures, including frequency, for inspection of the following elements of a capture system **and maintain records of the maintenance and any repairs made:**
 - (AA) Pressure sensors.
 - (BB) Dampers.
 - (CC) Damper switches.
 - (DD) Hood and ductwork for the presence of holes.

Maintain records of the maintenance and any repairs made:

- (ii) Describe procedures used to minimize dirt and debris accumulation on the facility floor.
- (iii) Describe any fume suppression system, including the process or emission point being controlled, the location, and the inert gas or steam application rate and the monitoring method. Fume suppression system means the equipment comprising any system used to inhibit the generation of emissions from steelmaking facilities with an inert gas, flame, or steam blanket applied to the surface of molten iron or steel.
- (iv) Describe the record keeping for the following elements of the iron production cycle:
 - (AA) Time of hole drilling.
 - (BB) Time of tapping.
 - (CC) Time of hole plugging.
- (v) Describe the blast furnace inspection, repair, and maintenance schedule for the following elements:

- (AA) Tuyres.
- (BB) Bleeder valves.
- (CC) Large and small bells.
- (DD) Uptakes and downcomers (to minimize backdrafting).
- (EE) Standby devices.

(vi) Describe the procedures used to inspect and operate the blast furnace gas cleaning equipment, **such as including, but not limited to**, dust catchers and scrubbing equipment to assure operation within design parameters.

(D) Sinter production shall comply with the following:

- (i) Describe routine startup and shutdown procedures and other work practices which are followed to reduce emissions and equipment malfunctions.
- (ii) Describe procedures for inspection of equipment to identify areas which may affect particulate emissions, including, **but not limited to**, the following:
 - (AA) Points of wear.
 - (BB) Distorted grate bars.
 - (CC) Leaking machine seals.
 - (DD) Holes in ducts.
 - (EE) Holes in flapper valves.

(iii) Describe procedures for monitoring mechanical and electrical inspection records.

(iv) Describe procedures used to minimize dirt and debris accumulation on the facility floor.

(v) Describe procedures for monitoring burden parameters, including base to acid ratio and hydrocarbon content.

(vi) Describe the routine for plant operation during equipment failure, **such as including, but not limited to**, screening station failure.

(vii) At least monthly, inspect the operational status of the following elements of the capture system **and maintain records of the inspections and any repairs:**

- (AA) Pressure sensors.
- (BB) Dampers.
- (CC) Damper switches.
- (DD) Hood and ductwork for the presence of holes.
- (EE) Ductwork for accumulation of dust.
- (FF) Fans for erosion.

Maintain records of the inspections and any repairs:

(E) Coke production shall comply with the following:

(i) Describe operating and maintenance practices used to minimize emissions from charging doors, charge port lids, oftakes, standpipes, gooseneck caps and gas collector mains, pushing, underfire stacks, and quenching, including, **but not limited to**, quench water dissolved solids control. The documentation shall include the following operating practices:

- (AA) Use of jumper pipe during charging.
- (BB) Procedure for worker's coordination, training, and communication.
- (CC) Luting material used.
- (DD) Periodic engineering evaluations to determine improvements needed.
- (EE) Aspiration practices during charging, including aspiration rate and adjustment.

(ii) Describe the routinely available inventory of spare parts and equipment, including, **but not limited to**, luting compounds, doors, and mobile scrubber cars.

(F) Waste disposal and recycling practices of iron and steel scrap and other metallic scrap shall comply with the following:

(i) Provide a description of the routine activities involving disposal and reclamation of iron and steel. The visible emissions from such activities shall not exceed twenty percent (20%) opacity on a three (3) minute average as measured by 40 CFR 60, Appendix A, Method 9*. The opacity shall be determined as an average of twelve (12) consecutive observations recorded at fifteen (15) second intervals.

(ii) Maintenance of process vessels ~~for example, push ladles,~~ shall be performed in enclosed structures. The visible emissions from such structures shall not exceed twenty percent (20%) opacity on a three (3) minute average as measured by 40 CFR 60, Appendix A, Method 9*. The opacity shall be determined as an average of twelve (12) consecutive observations recorded at fifteen (15) second intervals.

(iii) Emissions from all steel scrap burning or cutting and oxygen lancing operations shall not exceed twenty percent (20%) opacity on a three (3) minute average as measured by 40 CFR 60, Appendix A, Method 9*. The opacity shall be determined as an average of twelve (12) consecutive observations recorded at fifteen (15) second intervals.

(G) Visible emission evaluation plans shall comply with the following:

(i) Within sixty (60) days of the effective date of this section, each steel mill shall submit a plan to conduct visible emissions evaluations per the approved test method or procedures to determine compliance with the applicable opacity standard. The plan shall specify the frequency of visible emissions evaluations at the operations included in clauses (A) through (F). The plan shall include charging, pushing, lids and offtakes, doors, standpipes, and gas collector mains at coke production operations and lime plants.

(ii) If the plan specifies that the duration of readings is less than one (1) hour per day at each facility, then the plan shall include the basis for less frequent evaluations.

(iii) The department shall disapprove the plan if it does not include all facilities or if the proposed duration and frequency will not provide for a reasonable assessment of compliance.

(iv) Upon approval of a steel mill's plan by the department, the visible emissions evaluations shall commence and the data submitted to the department within one (1) month of the end of the calendar quarter.

(v) The plan may be revised with department approval at any time.

(4) Fuel combustion boilers, as described in subsection (I)(26)(A), shall comply as follows:

(A) The requirements of this subdivision shall not relax the fuel monitoring and reporting requirements of 326 IAC 7-1.1-1 for the sources this section applies to.

(B) Affected sources shall maintain records of the following information:

(i) Operational status of each facility for each day.

(ii) The daily measurements for each facility of the type of fuel used, amount of each type of fuel used, and heat content of each type of fuel used.

(iii) The TSP or PM₁₀ emission factors for each type of fuel to be used as estimated by the AP-42* or stack test method.

(iv) The method used to monitor the fuel amount and heat content in addition to the frequency.

(v) The control efficiency of the particulate control device and the method of determination.

(vi) Average daily PM₁₀ emissions (or TSP if applicable) for each facility, expressed in pounds per million British thermal

units.

(C) The following guidance ~~may~~ **shall** be used to estimate emissions:

(i) For heat content, **AP-42, Volume 1, Appendix A**, Table A-3, "Typical Parameters of Various Fuels" ~~AP-42, Volume 1, Fifth Edition, January 1995*, or the latest edition.~~ **Supplements A through G, December 2000***.

(ii) For emission factors (TSP or PM₁₀), EPA 450/4-90-003, "AIRS Facility Subsystem Source Classification Codes and Emission Factors Listing for Criteria Air Pollutants"****. **.

(iii) For control equipment efficiency, manufacturer's warranty or as determined by source.

(iv) Sources may substitute other site-specific values for the values as indicated if they can be shown to be acceptable to the department.

(q) This subsection concerns particulate matter control equipment operation and maintenance requirements. A CCP shall provide that the following control equipment related information will be maintained at the source's property and will be available for inspection by department personnel:

(1) Startup, shutdown, and emergency shutdown procedures.

(2) Sources shall notify the department fifteen (15) days in advance of startup of either new control equipment or control equipment to which major modifications have been made.

(3) Manufacturer's recommended inspection procedures, preventive and corrective maintenance procedures, and safety devices and procedures, such as sensors, alarm systems, and bypass systems. If manufacturer's recommendations are not available, procedures shall be developed by the source.

(4) Contents of the operator's training program and the frequency with which the training is held.

(5) A list of spare parts available at the facility.

(6) A list of control equipment safety devices, for example, high temperature sensors and alarm systems, exhaust gas stream bypass system, or safety interlock system.

(7) Monitoring and recording devices and/or instruments to monitor and record control equipment operating parameters specified in subsection (n)(4).

(r) Particulate matter control equipment operation, recording, and inspection procedure requirements shall be as follows:

(1) A CCP for a facility controlled with a baghouse shall include the recording, inspection, and maintenance procedures to be consistent with the requirements of subsection (m), ~~such as including, but not limited to,~~ the following:

(A) Operating parameters, ~~such as including, but not limited to,~~ the following:

(i) Pressure drop across the baghouse.

(ii) Gas flow rate at baghouse inlet.

(iii) Gas temperatures at inlet.

A CCP shall identify the monitors and instrumentation, and their location, accuracy, precision, and calibration frequency. A CCP shall also include a description of any visible emission evaluation program.

(B) Baghouse cleaning system. A complete description of the cleaning system, including such information as intensity, duration, frequency, and method of activation.

(C) Baghouse inspection and maintenance schedule. The inspection schedule logs or records shall be available for inspection by the department for up to one (1) year after the date of inspection. The inspection shall include the activities and

frequency of the activities. A source may request an alternative schedule based on manufacturer's recommendations or alternatives documented by the company. The revised schedule must be approved by the department. Inspections shall include the following:

- (i) Daily inspections shall include the following:
 - (AA) Pressure drop.
 - (BB) Fan amperage.
 - (CC) Cleaning cycle.
 - (DD) Compressed air on pulse jet baghouses for values outside of the operating ranges.
 - (EE) Dust discharge equipment for proper operation.
 - (FF) General check for abnormal audible and visual conditions.
- (ii) Weekly inspections of the following:
 - (AA) Moving parts on discharge system.
 - (BB) Bypass and isolation damper operation.
 - (CC) Bag tension.
 - (DD) Compressed air lines, oilers, and filters.
 - (EE) Manometer lines.
 - (FF) Temperature indicating equipment.
 - (GG) Bag cleaning sequence.
 - (HH) Drive components on fans.
- (iii) Monthly inspections of the following:
 - (AA) Bag seating condition.
 - (BB) Moving parts on shaker baghouses.
 - (CC) Fan corrosion and blade wear.
 - (DD) Hoses and clamps.
 - (EE) Bags for leaks and holes.
 - (FF) Bag housing for corrosion.
- (iv) Quarterly inspections of the following:
 - (AA) Bags.
 - (BB) Ducts for dust build-up.
 - (CC) Damper valves for proper setting.
 - (DD) Door gaskets.
 - (EE) Baffle plate for wear.
- (v) Annual inspection of the following:
 - (AA) Welds and bolts.
 - (BB) Hoppers for wear.
 - (CC) Cleaning parts for wear.

(2) A CCP for a facility controlled by an electrostatic precipitator (ESP) shall include recording, inspection, and maintenance procedures to be consistent with the requirements of subsection (m), ~~such as including~~ **as including, but not limited to**, the following:

- (A) Operating parameters, ~~such as including, but not limited to~~ **as including, but not limited to**, the following:
 - (i) Gas flow rate.
 - (ii) Temperature.
 - (iii) Type and rate of gas conditioning agents used for resistivity control or resistivity measurements.
 - (iv) Power input at each section of the ESP. A CCP shall identify monitors and instrumentation and specify location, accuracy, precision, and calibration frequency. A CCP shall also include a description of any visible emissions evaluation program.
- (B) ESP inspection and maintenance schedule. The inspection schedule logs or records shall be available for inspection by the department for up to one (1) year after the date of inspection. The inspection shall include the activities and frequency of the activities. A source may request an alternative schedule based on manufacturer's recommendations or alternatives documented by the company. The revised schedule shall be approved by the

department. Inspections shall include the following:

- (i) Daily inspection of the following:
 - (AA) Fan amperage.
 - (BB) Temperature.
 - (CC) Gas conditioning agent flow rate or resistivity.
 - (DD) Electrical readings for values outside the operating range.
 - (EE) Hoppers and dust discharge system for proper operation.
 - (FF) Transformer-rectifier enclosures and bus ducts for abnormal arcing.

Corrective actions taken, if any, shall be recorded.
- (ii) Weekly inspection of the following or as per manufacturer's recommendations:
 - (AA) Rapper operation.
 - (BB) Control set interiors.
- (iii) Monthly inspection of the following:
 - (AA) Fans for noise and vibration.
 - (BB) Hopper heaters.
 - (CC) Hopper level alarm operation.
- (iv) Quarterly inspection of the following:
 - (AA) Check rapper and vibrator switch contacts.
 - (BB) Access door dog bolt and hinges.
 - (CC) Interlock covers.
 - (DD) Test connectors.
 - (EE) Exterior for visual signs of deterioration.
 - (FF) Abnormal vibration, noise, and leaks.
- (v) Semiannual inspection of the following, or as per manufacturer's recommendations:
 - (AA) T-R liquid and surge arrestor spark gap.
 - (BB) Conduct internal inspection.
 - (CC) Top housing or insulator compartment and all electrical insulating surfaces, and correct any defective alignment.
- (vi) Annual inspection of the following:
 - (AA) Tightness of all electrical connections.
 - (BB) Operation of switchgear.
 - (CC) Rapper insulator connections.
 - (DD) Observe and record areas of corrosion.

(3) A CCP for a facility controlled by a scrubber shall include the recording, inspection, and maintenance procedures to be consistent with the objectives of subsection (m), ~~such as including, but not limited to~~ **as including, but not limited to**, the following:

- (A) Operating parameters, ~~such as including, but not limited to~~ **as including, but not limited to**, the following:
 - (i) Gas flow rate.
 - (ii) Inlet and outlet temperatures of gas to and from scrubber.
 - (iii) Liquid flow rate to scrubber.
 - (iv) Pressure drop across scrubber.
 - (v) pH of liquid to scrubber.
 - (vi) Fan and pump currents.

A CCP shall specify the location, accuracy, precision, and calibration frequency of monitors and instrumentation.

(B) Scrubber inspection and maintenance schedule. The inspection schedule logs or records shall be available for inspection by the department for up to one (1) year after the date of inspection. The inspection shall include the activities and frequency of the activities. A source may request an alternative schedule based on manufacturer's recommendations or alternatives documented by the company. The revised schedule shall be approved by the department. Inspections shall include the following:

- (i) Daily inspection of the following:
 - (AA) Scrubbing liquid flow rates to scrubber.
 - (BB) Pressure drop across scrubber.
 - (CC) Fan and pump amperages for values outside the operating range.
 Corrective actions taken shall be recorded.
- (ii) Monthly inspection of the following:
 - (AA) Seals for abrasion.
 - (BB) Corrosion and leaks.
 - (CC) Fans for abrasion, corrosion, and solids build-up.
 - (DD) Pipes for abrasion, corrosion, and plugging.
 - (EE) Throat wear in the venturi scrubber.
 - (FF) Sensors, alarm systems, and bypass devices for proper operation.
 - (GG) Entrainment separator for blockage.
 - (HH) Spray nozzles for plugging or excessive wear.

(s) The department shall review the CCP. The department may at any time request, in writing, any of the following:

- (1) A CCP revised to include additional documentation or practices as needed to allow the department to verify that operation and maintenance practices critical to continuous compliance with the applicable mass and opacity limits are being followed.
- (2) A compliance test conducted with the compliance test methods specified in this section if the department determines that the procedures specified in the CCP are not being followed or are inadequate to assure continuous compliance. The compliance test may consist of a series of opacity measurements of frequency and duration specified by the department or a stack test. The department may request that information be collected during the test to determine proper operation and maintenance procedures needed to assure continuous compliance with applicable mass and opacity limits.

(t) The source shall respond, in writing, within thirty (30) days of a request per subsection (s). The source shall either provide an expeditious schedule, not to exceed sixty (60) days, for providing the information requested by the department or petition the department for an alternative to the request. A schedule for completion of an opacity compliance test shall not exceed thirty (30) days from the department's request. A source may petition the department for an alternative schedule based on practical problems in meeting the request.

(u) The source shall update the CCP, as needed, retain a copy of any changes and updates to the CCP on the property, and make the updated CCP available for inspection by the department. The source shall submit the updated CCP, if required, to the department within thirty (30) days of the update.

(v) Failure to submit a CCP, maintain all information required by the CCP on plant property, or submit a required update to a CCP is a violation of this section. Failure to respond to a request by the department under subsection (s) is a violation of this section. The department may notify a source in writing of noncompliance with an action or procedure specified within a CCP and require that the source conduct a compliance test. If the compliance test demonstrates noncompliance with the applicable particulate matter or opacity limit, ~~both~~ the findings of noncompliance of both the CCP and the compliance test shall be considered as violations of the applicable mass or opacity limit. A violation of an applicable particulate matter or opacity limit of this section, based either on a compliance test performed by the source or by observations or tests conducted by the department, is a violation of this section.

***Copies of the Code of Federal Regulations (CFR) have been *The following are incorporated by reference: and are available 40 CFR 51, Appendix M, Methods 201, 201A, and 202; 40 CFR 60, Appendix A, Methods 1, 1A, 2, 2A, 2C, 2D, 3, 4, 5, 5A, 5D, 5E, 8, 9, 17, and AP-42, including supplements A through G. Copies may be obtained from the Government Printing Office, 732 North Capitol Avenue NW, Washington, D.C. 20402 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204.**

****Copies of AP-42 and supplements are available for purchase from U.S. EPA, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711 or can be reviewed at the Indiana Department of Environmental Management, Office of Air Management Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204.**

*****Copies of the EPA guidance documents are **EPA 450/4-90-003, "AIRS Facility Subsystem Source Classification Codes and Emission Factors Listing for Criteria Air Pollutants" is incorporated by reference and is available from U.S. EPA, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711 or the Indiana Department of Environmental Management, Office of Air Management Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 6-1-10.1; filed May 12, 1993, 11:30 a.m.: 16 IR 2368; filed Mar 2, 1998, 8:30 a.m.: 21 IR 2354; filed May 13, 1999, 12:00 p.m.: 22 IR 3047; filed Dec 14, 2000, 5:07 p.m.: 24 IR 1385; errata filed May 1, 2001, 3:24 p.m.: 24 IR 2709)**

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 February 6, 2002, at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 6-1-10.1, Lake County particulate matter rules.

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 Suzanne Whitmer, Rules Development Section, Office of Air Quality, (317) 232-8229 or (800) 451-6027, press 0, and ask for extension 2-8229 (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. TDD: (317) 232-6565. Speech and hearing impaired callers also 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 Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet G. McCabe
Assistant Commissioner
Office of Air Quality

TITLE 326 AIR POLLUTION CONTROL BOARD

**SECOND NOTICE OF COMMENT PERIOD
#99-177(APCB)**

DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING FLUORIDE EMISSION LIMITATIONS FOR EXISTING PRIMARY ALUMINUM PLANTS

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for repeal of rule 326 IAC 11-5. 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: September 1, 1999, Indiana Register (22 IR 3997).

CITATIONS AFFECTED: 326 IAC 11-5.

AUTHORITY: IC 13-14-1-3; IC 13-14-8; IC 13-17-3.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

IDEM is proposing to repeal 326 IAC 11-5 concerning fluoride emission limitations for existing primary aluminum reduction plants. Aluminum Company of America (ALCOA), located in Warrick County, is the only source affected by this repeal. The state rule was developed for existing sources after U.S. EPA promulgated a new source performance standard (NSPS) for primary aluminum reduction plants for new sources.

On June 3, 1998, the Air Pollution Control Board final adopted a new rule, 326 IAC 20-24, that incorporated by reference the national emission standard for hazardous air pollutants (NESHAP) for primary aluminum reduction plants. The only source to which this rule applies is ALCOA. This rule became effective on November 8, 1998.

ALCOA requested that IDEM repeal the state rule under 326 IAC 11-5. The request is based on the fact that both rules only apply to the ALCOA plant, compliance with the emission limitations under 326 IAC 20-24 will require better control of emissions with a more stringent emission limit, and the repeal of 326 11-5 would remove costly sampling requirements that are not required under 326 IAC 20-24. However, 326 IAC 20-24 does require emissions sampling at the primary control, the scrubber, and at the roof monitor in order to demonstrate compliance. The difference in sampling requirements is specifically due to the difference in the way fluoride emissions are required to be measured by the two rules. Removing sampling requirements specific to 326 IAC 11-5 will not result in less stringency

since ALCOA must comply with the more stringent requirements of 326 IAC 20-24.

The requirements of 326 IAC 11-5 include compliance with a collection efficiency of ninety percent (90%) and a control efficiency of ninety-five percent (95%). ALCOA is required under 326 IAC 20-24 to maintain a collection efficiency of ninety-eight and five-tenths percent (98.5%) and a control efficiency of ninety-nine and two-tenths percent (99.2%). In addition, 326 IAC 20-24 includes a limit on the emissions of total fluorides and requires ALCOA to limit total fluoride emissions to one and nine-tenths (1.9) pounds of total fluoride per ton of aluminum produced in order to meet the requirements of 326 IAC 20-24.

IDEM believes it is appropriate to repeal 326 IAC 11-5 because it has now been superseded by 326 IAC 20-24 and repeal will eliminate potentially duplicative or inconsistent sampling requirements with no less environmental protection.

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD

IDEM requested public comment from September 1, 1999 through September 30, 1999 on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received no comments in response to the first notice of public comment period.

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:

#99-177(APCB) Primary aluminum
Kathryn A. Watson, Chief
Air Programs Branch
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 December 3, 2001

Additional information regarding this action may be obtained from Gayla Killough, Rules Development Section, Office of Air Quality, (317) 234-1377 or (800) 451-6027, press 0, and ask for 4-1377 (in Indiana).

DRAFT RULE

SECTION 1. 326 IAC 11-5 IS REPEALED.

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 February 6, 2002 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana, the Air Pollution Control Board will hold a public hearing on repeal of 326 IAC 11-5.

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 repeal. 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 Gayla Killough, Rules Development Section, Office of Air Quality, (317) 234-1377 or (800) 451-6027, press 0, and ask for 4-1377 (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

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100 North Senate Avenue

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Indianapolis, Indiana 46206-6015

or call (317) 233-1785. TDD: (317) 232-6565. Speech and hearing impaired callers also 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 Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet G. McCabe

Assistant Commissioner

Office of Air Quality

TITLE 326 AIR POLLUTION CONTROL BOARD**SECOND NOTICE OF COMMENT PERIOD
#01-251(APCB)****DEVELOPMENT OF AMENDMENTS TO RULE 326 IAC 8-1-2
CONCERNING COMPLIANCE METHODS APPLICABLE
TO DIP OR FLOW OPERATIONS AT MISCELLANEOUS
METAL COATING OPERATIONS SUBJECT TO THE
VOLATILE ORGANIC COMPOUND RULES****PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to rule 326 IAC 8-1-2, compliance methods, applicable to dip or flow operations at miscellaneous metal coating operations regulated at 326 IAC 8-2-9. 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: August 1, 2001, *Indiana Register* (24 IR 3826).

CITATIONS AFFECTED: 326 IAC 8-1-2.

AUTHORITY: IC 13-14-8.

**SUBJECT MATTER AND BASIC PURPOSE OF
RULEMAKING**

Volatile organic compounds (VOCs) contribute to ozone formation.

Ozone degrades air quality and is detrimental to human health. For these reasons VOCs are regulated. The vast majority of coatings available to be applied to a specific surface contain VOCs. There are a number of ways to apply coatings to a surface including spray guns and dip or flow operations.

In response to a citizen petition regarding compliance methods for dip or flow operations for application of VOC containing coatings to metal parts, the Indiana Air Pollution Control Board adopted a rule that added equivalent emissions limitations at 326 IAC 8-1-2(a)(9) applicable to miscellaneous metal coating operations subject to 326 IAC 8-2-9 and compliance methods for dip and flow operations only, at 326 IAC 8-1-2(a)(10).

Prior to promulgation of the rule that added equivalent emission limitations at 326 IAC 8-1-2(a)(9) and compliance methods at 326 IAC 8-1-2(a)(10), an owner or operator of a miscellaneous metal coating operation was required to determine compliance on a daily volume-weighted average basis. This was inconsistent with some procedures required for proper operation of dip and flow facilities. Allowing compliance to be determined only on a daily volume-weighted average basis would require many metal coaters to change from dip or flow coating to applying coatings using a spray gun. Even though there would be less VOC emissions if a part was coated by dipping or flow coating, neither of these techniques could be used as a method to apply a VOC containing coating under certain circumstances because there were neither equivalent emissions limitations nor an appropriate method to determine compliance with the emission limits. The rule that the Air Pollution Control Board adopted provided equivalent emission limitations for sources subject to 326 IAC 8-2-9 and provided two (2) ways to demonstrate compliance. Compliance could be demonstrated using a monthly volume-weighted average of all coatings applied in a coating tank, flow coater, or flow coating line, or it could be demonstrated using compliant coatings in the tank or reservoir, and maintaining a viscosity of the coatings that is not less than the viscosity of the initial coating.

After the rule was promulgated, the United States Environmental Protection Agency (U.S. EPA) indicated that 326 IAC 8-1-2(a)(10)(A), which provides for monthly averaging, is a relaxation of the daily compliance standard, and 326 IAC 8-1-2(a)(10)(B), which provides for using viscosity as a measure of compliance as was done in under Subpart JJ NESHAP (National Emission Standards for Wood Furniture Operations, 40 CFR 63.804), is unacceptable for two reasons. First, Subpart JJ established compliance procedures applicable to volatile hazardous air pollutants (VHAPs) but not to VOCs. Second, U.S. EPA established test methods in 40 CFR 63.805 applicable to VHAPs sources that wish to monitor viscosity to maintain compliant coatings but these test methods have not been approved for use by VOC sources that wish to monitor viscosity to maintain compliant coatings. Additionally, U.S. EPA stated that "commissioner discretion" language at existing rule 326 IAC 8-1-2(a)(5)(B) provides a potential relaxation of the state implementation plan and therefore is not approvable.

Many businesses that are interested in using dip or flow coating are required to have a Title V permit. The rules regulating emissions from VOC containing coatings applied to miscellaneous metal parts are part of the existing SIP and therefore applicable requirements for Title V purposes. At this time, U.S. EPA has not approved the alternative dip or flow coating compliance options provided in the revisions to 326 IAC 8-1. Therefore until 326 IAC 8-1-2(a) subdivisions (5), (9), and (10) are amended and approved by U.S. EPA as amendments to the

SIP, businesses can not comply with 326 IAC 8-2-9 using the alternative compliance options for dip or flow operations and some affected sources that have dip or flow coating operations cannot receive their Title V operating permit.

The department and U.S. EPA have identified approveable amendments to 326 IAC 8-1-2 that provide a compliance option for sources using dip or flow coating as application techniques. This option relies on determining compliance "as applied" based on the interval between solvent additions and use of an equation. Additionally, the commissioner discretion issue at 326 IAC 8-1-2(a)(5) will be addressed by determining compliance according to a specified equation.

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD

IDEM requested public comment from August 1, 2001, through August 30, 2001, on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received no comments in response to the first notice of public comment period.

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: #01-251(APCB)[Dip tanks]
 Kathryn A. Watson, Chief
 Air Programs Branch
 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) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, hand delivered, or faxed by December 3, 2001.

Additional information regarding this action may be obtained from Patricia Troth, Rules Development Section, Office of Air Quality, (317) 233-5681 or (800) 451-6027, press 0, and ask for 3-5681 (in Indiana).

DRAFT RULE

SECTION 1. 326 IAC 8-1-2 IS AMENDED TO READ AS FOLLOWS:

326 IAC 8-1-2 Compliance methods

Authority: IC 13-14-8
 Affected: IC 13-17

Sec. 2. (a) The emission limitations specified in this article shall be achieved through one (1) or any combination of the following:

- (1) Carbon adsorption.
- (2) Thermal or catalytic incineration. The owner or operator of a source using a natural gas afterburner incineration method may petition the commissioner for permission to not operate the natural

gas afterburner during the months of November, December, January, February, and March. The commissioner may allow such exemption if the owner or operator adequately demonstrates that the operation of the natural gas afterburner is not required for control of toxic substances or odor.

- (3) Higher solids (low solvent) ~~coating~~ **coatings, including powder, ultraviolet and electron beam coatings.**
- (4) Water borne coatings.
- (5) Equivalent emission limitations based on an actual measured transfer efficiency higher than the specified baseline transfer efficiency **as follows:**

(A) This subdivision is applicable only to 326 IAC 8-2-2(b)(2), automobiles and light duty truck assembly; 326 IAC 8-2-6, metal furniture coating; and 326 IAC 8-2-7, large appliance coating.

(B) **For metal furniture or large appliance coating operations, this subdivision and the equivalent emission limits it contains may not be used to determine compliance unless a test method for determining actual measured transfer efficiency has been specified by U.S. EPA or submitted to U.S. EPA and approved as a SIP revision.**

(C) The equivalent emission limitations in units of kilograms of volatile organic compounds (VOC) per liter solids deposited (pounds of VOC per gallon solids deposited), baseline transfer efficiencies, and baseline volume percent solids content of the coating are specified below:

Category	Equivalent Emission Limit	Baseline Transfer Efficiency	Baseline Percent Solids
Automobiles and light duty trucks assembly (topcoat)	1.83 (15.1)	30	62.0
Metal furniture	1.01 (8.4)	60	59.2
Large appliances	0.91 (7.4)	60	62.0

(D) **Compliance with an equivalent emission limit shall be determined as follows:**

(i) For automobile and light duty topcoating operations, ~~compliance with the equivalent emission limit shall be determined using:~~ (A) use procedures found in "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations"; EPA-450/3-88-018; December 1988*. ~~or~~

(B) ~~another procedure approved by the commissioner:~~ (ii) For metal furniture or large appliance coating operations, ~~compliance with the equivalent emission limit shall be determined using the procedures approved by the commissioner. Unless the method for determining actual measured transfer efficiency has been approved or specified by the United States Environmental Protection Agency (U.S. EPA); the equivalent emission limitation shall be submitted to the U.S. EPA as a state implementation plan (SIP) revision: use the following equation:~~

$$E\text{fi} = \frac{L}{[(1/(L/D)) \times (T)]}$$

- Where: E = Actual emissions in pounds of VOC per gallon of coating solids deposited.
- L = Actual VOC content in pounds of VOC per gallon of coating, as applied, excluding water and nonphotochemically reactive hydrocarbons.
- D = Actual density of the VOC in the coating in pounds per gallon of VOC.
- T = Actual measured transfer efficiency.

(6) The use of nonphotochemically reactive hydrocarbons as defined in 326 IAC 1-2-48.

(7) A daily volume-weighted average of all coatings applied in a coating line or printing line subject to the requirements in 326 IAC 8-2 or 326 IAC 8-5-5. Records of daily usage of gallons solids coating and VOC content of each coating, or ink, and solvent shall be maintained and made available upon request. Also, records of daily emissions in pounds VOC shall be maintained and made available upon request. If daily records sufficient to determine an accurate daily weighted average are not available, each coating, or ink, and solvent shall meet the requirements of the applicable section.

(8) The use of an emission control device specifically allowed under provisions of any rule in this article to meet the emission limitations specified in the rule.

(9) Equivalent emissions limitations based on an actual measured transfer efficiency higher greater than the specified baseline transfer efficiency.

(A) This subdivision is applicable only to miscellaneous metal coating operations subject to 326 IAC 8-2-9.

(B) This subdivision and the equivalent emission limits it contains may not be used to determine compliance unless a test method for determining actual measured transfer efficiency has been specified by U.S. EPA or submitted to U.S. EPA and approved as a SIP revision.

~~(A)~~ (C) Equivalent emission limits in units of kilograms of VOC per liter solids deposited (pounds of VOC per gallon solids deposited), baseline transfer efficiencies, and baseline volume percent solids content of coatings are as follows:

Miscellaneous Metal Coating Category	Equivalent Emission Limit kg/l (lbs/gal) of Solids Deposited	Baseline Transfer Efficiency	Baseline Volume Percent Solids
	Clear coatings	2.08 (17.3)	60
Air dried up to 90°C	1.34 (11.2)	60	52.4
Extreme performance coatings	1.34 (11.2)	60	52.4
All other coatings and coating systems	1.01 (8.4)	60	59.2

~~(B)~~ (D) Compliance with the equivalent emission limit shall be determined according to the following equation:

$$E \leq \frac{L}{[(1/(L/D)) \times (T)]}$$

Where: E = Equivalent emission limit Actual emissions in pounds of VOC per gallon of coating solids deposited.

L = Actual VOC content in pounds of VOC per gallon of coating, as applied, excluding water and nonphotochemically reactive hydrocarbons.

D = Actual density of the VOC in the coating in pounds per gallon of VOC.

T = Actual measured transfer efficiency.

Unless the method for determining actual measured transfer efficiency has been approved or specified by the U.S. EPA, the equivalent emission limitation shall be submitted to the U.S. EPA as an a SIP revision:

(10) For dip or flow coating operations only, miscellaneous metal coating operations subject to the requirements of 326 IAC 8-2-9 may determine compliance by using one (1) of the following methods:

(A) A monthly volume-weighted average of all coatings applied in a coating tank, flow coater, or flow coating line. For each coating, thinner, or solvent, the following records shall be maintained:

(i) Monthly usage.

(ii) VOC content as supplied by the manufacturer for coatings, thinners, and solvents.

(iii) Monthly emissions in pounds of VOC.

(iv) Calculated monthly volume-weighted average VOC content of the coating as applied.

If monthly records sufficient to determine an accurate monthly weighted average are not available, then a compliance method specified in this subsection or subsection (b) must be used to confirm compliance. Records necessary for determining compliance shall be maintained at the source for a minimum of three (3) years and shall be made available upon request.

(B) Using coatings in compliance with 326 IAC 8-2-9(d); in the tank or reservoir, and maintaining a viscosity of the coatings that is no less than the viscosity of the initial coating. During the first year of operation using this compliance method the source must demonstrate, by means of viscosity readings and a minimum of two (2) U.S. EPA approved VOC content tests, performed at a minimum four (4) month interval, that the VOC content of the coating as applied does not exceed the VOC content stipulated in 326 IAC 8-2-9(d). Such testing must comply with the provisions of 326 IAC 3-2.1. After the first year of operation and providing that the VOC content tests have confirmed compliance using viscosity readings, the source may use viscosity readings to confirm compliance. Sources may monitor the viscosity of the coating with a viscosity meter or an equivalent method approved by the department. The viscosity shall be measured weekly or after each time solvent is added to the tank or reservoir, whichever is more frequent. The viscosity measurement must be corrected for the temperature of the coating in the tank or reservoir and the solvent density of the thinner. Records of viscosity and temperature, sufficient to confirm compliance, shall be maintained at the source for a minimum of three (3) years and shall be made available upon request. Equipment necessary to demonstrate compliance based on viscosity must be properly maintained and available at all reasonable times. If viscosity is not monitored, then another compliance method specified in this subsection must be used to confirm compliance. For determining compliance based on this clause, an actual test, using approved methods such as a U.S. EPA Method 24 test and sampling procedures, of the VOC content of the coating in the tank or reservoir shall take precedence over viscosity. (10) For dip coating or flow coating operations only, miscellaneous metal coating operations subject to the requirements of 326 IAC 8-2-9 and using coatings that contain less VOC than the VOC content limits in 326 IAC 8-2-9 may determine compliance "as-applied" based on the interval between solvent additions using the following equation:

$$E_{ave} \leq \frac{VOC_a + VOC_s}{G_a + G_s}$$

Where: E_{ave} = Volume-weighted average VOC emissions from coatings applied by the dip tank or flow coater for a given interval.

VOC_a = Total weight of VOC (in pounds) from all coatings added to the tank or the reservoir during the interval between solvent additions.

VOC_s = Total weight of VOC (in pounds) contained in the solvent added to the tank or the reservoir that started the averaging period.

G_a = Total gallons of coating, minus water and nonphotochemically reactive hydrocarbons added to the tank or the reservoir during the interval between solvent additions.

G_s = Total gallons of solvent, minus water and nonphotochemically reactive hydrocarbons added to the tank or the reservoir that started the averaging period.

(A) Each interval shall start the calendar day any VOC-containing solvent is added to the tank or reservoir. The last day of the interval is the calendar day preceding the next solvent addition, not to exceed thirty (30) days. All of the additions of VOC-containing solvents and coatings to the tank that occur during the first calendar day and the additions of coatings to the tank each subsequent day of the interval shall be included in calculating the volume-weighted average for the interval. A new averaging interval must begin each day that a VOC-containing solvent is added to the tank or reservoir.

(B) If the interval between solvent additions exceeds thirty (30) days, then the daily volume-weighted average VOC emissions (E_{ave}) shall be determined using an averaging time of thirty (30) days.

(C) For compliance with this subdivision, the following records shall be maintained for each coating and solvent:

(i) The calculated volume-weighted average VOC emissions (E_{ave}) for every interval.

(ii) Actual VOC content of the coatings and solvents determined by the applicable testing procedures specified in section 4 of this rule or as supplied by the manufacturer.

(iii) Records of the amounts of coatings and solvents added to the tank or the reservoir, including the dates of the additions.

Records, sufficient to confirm compliance, shall be maintained at the source for a minimum of three (3) years and shall be made available upon request.

(D) If records sufficient to determine an accurate volume-weighted average for each interval are not available, then another compliance method specified in this rule must be used to confirm compliance.

(b) VOC emissions shall be limited to no greater than the equivalent emissions, expressed as pounds of VOC per gallon of coating solids, allowed under the applicable emission limitation contained in this article for any surface coating operation using the compliance methods contained in subsection (a) or section 5 of this rule.

(1) Equivalency shall be determined by the following equation:

$$E \text{ fi } \frac{L}{1 / \frac{L}{D}}$$

Where: E = Equivalent emission limit in pounds of VOC per gallon of coating solids, as applied.

L = Applicable emission limit from this article in pounds of VOC per gallon of coating.

D = Baseline solvent density of VOC in the coating and shall be equal to seven and thirty-six hundredths (7.36) pounds of VOC per gallon of VOC solvent.

E = Equivalent emission limit in pounds of VOC per gallon of coating solids as applied.

A solvent density of seven and thirty-six hundredths (7.36) pounds of VOC per gallon of coating shall be used to determine equivalent pounds of VOC per gallon of solids for the applicable emission limit contained in this article. Actual solvent density shall be used to determine compliance of surface coating operations using the compliance methods contained in subsection (a) or section 5 of this rule.

(2) Compliance with an equivalent emission limit established in subdivision (1) shall be determined according to the following equation:

$$E_a \text{ fi } \frac{L_a}{1 / \frac{L_a}{D_a}}$$

Where: E_a = Actual emission in pounds of VOC per gallon of coating solids, as applied.

L_a = Actual VOC content in pounds of VOC per gallon of coating, as applied.

D_a = Actual density of the VOC in the coating, as applied, in pounds per gallon of VOC.

(c) The overall efficiency of any capture system and control device determined by the test methods and procedures specified in section 4 of this rule shall be no less than the equivalent overall efficiency which shall be calculated by the following equation:

$$O \text{ fi } \frac{V/E}{V} \times 100$$

Where: V = The actual VOC content of the coating or, if multiple coatings are used, the daily weighted average VOC content of all coatings, as applied to the subject coating line as determined by the applicable test methods and procedures specified in section 4 of this rule in units of pounds of VOC per gallon of coating solids as applied.

E = Equivalent emission limit in pounds of VOC per gallon of coating solids as applied.

O = Equivalent overall efficiency of the capture system and control device as a percentage.

(d) Any other equivalent method which is allowed to be used to determine or achieve compliance with any provision of this article shall ~~must~~ be submitted to the U.S. EPA and approved as a SIP revision by U.S. EPA before it can be used to determine or achieve compliance with any provision of this article.

*This document ~~has been~~ is incorporated by reference. ~~and is~~ Copies are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 8-1-2; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2527; errata, 11 IR 2632; filed Sep 23, 1988, 11:59 a.m.: 12 IR 256; filed Jan 16, 1990, 4:00 p.m.: 13 IR 1016; filed Apr 18, 1990, 4:55 p.m.: 13 IR 1676; filed May 9, 1990, 5:00 p.m.: 13 IR 1845; filed May 6, 1991, 4:45 p.m.: 14 IR 1713; filed Aug 21, 1996, 2:00 p.m.: 20 IR 6)

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 February 6, 2002 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana, the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 8-1-2.

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 Patricia Troth, Rules Development Section, Office of Air Quality, (317) 233-5681 or (800) 451-6027, press 0, and ask for 3-5681 (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. TDD: (317) 232-6565. Speech and hearing impaired callers also 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 Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet G. McCabe
Assistant Commissioner
Office of Air Quality

TITLE 326 AIR POLLUTION CONTROL BOARD

**FINDINGS AND DETERMINATION OF THE
COMMISSIONER PURSUANT TO IC 13-14-9-7
AND SECOND NOTICE OF COMMENT PERIOD
#01-375(APCB)**

**DEVELOPMENT OF NEW RULES CONCERNING EMISSION
CONTROL LIMITS FOR COMMERCIAL AND INDUS-
TRIAL SOLID WASTE INCINERATORS**

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for a new rule to establish control limits for commercial and industrial solid waste incinerator units for which construction commenced on or before November 30, 1999. The purpose of this notice is to seek public comment on the draft rule, including suggestions for specific language to be included in the rule.

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 11-8.

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

STATUTORY REQUIREMENTS

IC 13-14-9-7 recognizes that under certain circumstances it may be appropriate to reduce the number of public comment periods routinely provided. In cases where the commissioner determines that the rulemaking policy alternatives available to IDEM are so limited that the notice of first public comment period would provide no substantial benefit, IDEM may forego this comment period and proceed directly to the notice of second public comment period.

If the commissioner makes the determination of limited rulemaking policy alternatives required by IC 13-14-9-7, the commissioner shall prepare written findings and include them in the second notice of public comment period published in the Indiana Register. This document constitutes the commissioner's written findings pursuant to IC 13-14-9-7.

The statute provides for this shortened rulemaking process if the commissioner determines that "the rulemaking policy alternatives available to the department are so limited that the public notice and comment period under [IC 13-14-9-3]... would provide no substantial benefit to:

- (1) the environment; or
- (2) persons to be regulated or otherwise affected by the proposed rule."

BACKGROUND

This rule incorporates federal air emission requirements for solid waste incinerators that burn commercial and industrial waste. On December 1, 2000, U.S. EPA published a final rule establishing new source performance standards (NSPS) for new sources and emission guidelines for existing sources (65 FR 75338). New units are those that commenced construction after November 30, 1999 or commenced reconstruction/modification on or after June 1, 2001. Existing sources are those that commenced construction before November 30, 1999. Section 129 of the Clean Air Act (CAA) requires U.S. EPA to use maximum achievable control technology (MACT) in developing these standards.

Federal law requires states to adopt requirements at least as stringent as the federal emission guidelines for CISWI units. IDEM initiated this rulemaking to establish emission standards consistent with those of U.S. EPA's final rule. This rule will provide the legal mechanism to implement the emission guidelines and will be part of the state plan that IDEM will submit to U.S. EPA for approval, as required by Sections 111(d) and 129 of the CAA.

The federal rule applies to units of all sizes whose primary purpose is the incineration of commercial and industrial nonhazardous solid waste. This rule does not apply to units that recover energy generated from the combustion process. Air curtain destructors/incinerators are also regulated by this rule. However, as long as the air curtain destructor/incinerator is burning one hundred (100%) wood waste, clean lumber, and/or yard waste, the unit needs to only comply with an initial and subsequent annual opacity test.

The following types of incinerators are exempt from this rule:

- Pathological waste
- Agricultural waste
- Municipal waste combustors

- Medical waste
- Small power production units
- Cogeneration units
- Hazardous waste
- Metal recovery units
- Rack, part, and drum reclamation units
- Cement kilns
- Chemical recovery units
- Laboratory analysis

Many of these sources are exempt because they are regulated by other federal regulations or will be regulated in the future. The exemption for pathological waste incinerators, agricultural waste incinerators, and municipal waste combustion units is conditioned upon the source meeting notification and record keeping requirements. The owner or operator of the unit is required to notify IDEM that the unit qualifies for the exemption and keep records on the amount of applicable waste burned in the unit. Incinerators burning more than ninety percent (90%) or more by weight of pathological waste, low level radioactive waste, and/or chemotherapeutic waste are exempt. Crematories or units burning animal remains would be considered pathological incinerators. Incinerators burning ninety percent (90%) or more by weight of agricultural waste are exempt. The notification requirement for municipal combustors applies to smaller units not already subject to a 129(d) solid waste combustion rule. It applies to units burning more than thirty percent (30%) municipal solid waste, such as an incinerator at a retail store.

The federal rule establishes emission limits for cadmium (Cd), carbon monoxide (CO), dioxins and dibenzofurans (dioxins/furans), hydrogen chloride (HCl), lead (Pb), mercury (Hg), opacity, oxides of nitrogen (NO_x), particulate matter (PM), and sulfur dioxide (SO₂). The rule also establishes requirements for operator training and qualifications, waste management plans, and testing and monitoring requirements. The waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste. An initial stack test is required for all pollutants with emission limits and annual stack tests are required for PM, HCl, and opacity. Sources have several options on how they can comply with this rule. Sources are also required to continuously monitor operating parameters to ensure continuous compliance with the emission limits. Units not operating pursuant to a Title V permit will be required to submit an application for a Title V permit within one (1) year from the effective date of this rule, or December 1, 2003, whichever is earlier.

IDEM is currently developing an inventory of affected sources. IDEM estimates that there are about ten (10) to twenty (20) affected CISWI sources in Indiana that must comply with all the applicable requirements of this rulemaking. Additionally, thirty (30) to forty (40) air curtain incinerators in Indiana will be subject to the opacity requirements. Many sources will be required to notify IDEM that they are exempt from this rule and some will need to keep records to prove they are exempt.

In lieu of compliance with the rule, sources may choose to shut down and use other waste disposal options, such as sending waste off-site to a commercial incinerator. Most incinerators, excluding the air curtain incinerators, that continue to operate will need to install add-on air pollution control devices to meet the emission limits. Although the rule does not require the use of a specific type of control device, the MACT emission limits were determined based on the performance of wet scrubbing systems on CISWI units.

Sources have two options for compliance dates. The first option is to come into compliance or shut down within one year after the

effective date of this rule. The second option gives an extended compliance deadline if the source complies with two (2) increments of progress. The first increment requires the source to submit a final control plan to the state describing what air pollution controls or process changes will be made in order to meet the emission limits. The second increment is achieving final compliance, which means if the unit is brought online, all necessary process changes and air pollution control devices would operate as designed. The source has one hundred eighty (180) days after final compliance to conduct the initial performance test. Sources are required to meet the emission limits on the date the initial performance test is required or completed, whichever date is earlier.

IDEM is seeking comment on the compliance dates for the two (2) increments of progress included in the draft language. The CAA requires that the date for final compliance can be no later than three (3) years after the effective date of the state plan approval or December 1, 2005. In this proposed rule IDEM has selected the dates for submission of the final control plan to be one (1) year after the effective date of the rule and the date for final compliance to be September 1, 2005. The date for final compliance was based on an estimate of when the state plan would be effective. IDEM has selected compliance dates based on the effective date of the state rule and not the U.S. EPA approved date of the state plan.

FINDINGS

The commissioner of IDEM has prepared written findings regarding this rulemaking on commercial and industrial solid waste incinerators. These findings are prepared under IC 13-14-9-7 and are as follows:

- (1) The rulemaking policy alternatives available to the department are so limited that the public notice and comment period under IC 13-14-9-7 would provide no substantial benefit to the environment or persons to be regulated or otherwise affected by the proposed rule. The federal rule requires that the department develop rules to incorporate the emission guidelines contained in 40 CFR 60, Subpart DDDD. The only issue for which Indiana has some discretion is the compliance date. IDEM believes this notice and subsequent comment periods provide sufficient opportunity for public input on this point.
- (2) The rulemaking is an incorporation of federal guidance that has already gone through a rigorous public comment process.
- (3) I have determined that under the specific circumstances pertaining to this rule, the rulemaking policy alternatives are so limited that the public notice and comment period provided in the notice of first public comment period would provide no substantial benefit to the environment or to persons to be regulated or otherwise affected by the rule.
- (4) The draft rule is hereby incorporated into these findings.

Lori F. Kaplan
Commissioner
Indiana Department of Environmental Management

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 rule. Mailed comments should be addressed to:

#01-375(APCB) Commercial and Industrial Waste Incinerators
Kathryn A. Watson, Chief
Air Programs Branch
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, Tenth Floor East, Indianapolis, Indiana.

COMMENT PERIOD DEADLINE

Comments must be postmarked or hand delivered by December 3, 2001.

Technical information regarding this action may be obtained from Susan Bem, Program Planning and Policy Section, Office of Air Quality, (317) 233-5697 or (800) 451-6027 extension 3-5697 (in Indiana). Additional general information regarding this action may be obtained from Gayla Killough, Rules Development and Outreach Section, Office of Air Quality, (317) 234-1377 or (800) 451-6027, extension 4-1377 (in Indiana).

DRAFT RULE

SECTION 1. 326 IAC 11-8 IS ADDED TO READ AS FOLLOWS:

Rule 8. Commercial and Industrial Solid Waste Incinerators

326 IAC 11-8-1 Applicability

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
 Affected: IC 13-15; IC 13-17

Sec. 1. (a) Except as provided in subsections (b), (e), (f), and (g), this rule applies to each commercial and industrial solid waste incinerator (CISWI) unit for which construction was commenced on or before November 30, 1999.

(b) The following are exempt from this rule:

(1) Incineration units burning ninety percent (90%) or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, or chemotherapeutic waste, or any combination of these wastes as defined in 40 CFR 60.2875, 65 FR 75338 (December 1, 2000) are not subject to this rule, provided the owner or operator of the incinerator does the following:

(A) Notifies the department and U.S. EPA that the unit meets these criteria.

(B) Keeps records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, or chemotherapeutic waste, or any combination of these wastes burned, and the weight of all other fuels and wastes burned in the unit.

(2) Incineration units burning ninety percent (90%) or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in 40 CFR 60.2875, 65 FR 75338 (December 1, 2000) are not subject to this rule, provided the owner or operator of the incinerator does the following:

(A) Notifies the department and U.S. EPA that the unit meets these criteria.

(B) Keeps records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(3) Incineration units that meet either of the following criteria:

(A) Municipal waste combustors regulated under 40 CFR 60, Subpart Ea*, Eb*, AAAA (65 FR 76350 (December 6, 2000))* , or BBBB (65 FR 76378 (December 6, 2000))*.

(B) Burn greater than thirty percent (30%) municipal solid waste or refuse-derived fuel, as defined in 40 CFR 60 Subpart

Ea*, Eb*, AAAA (65 FR 76350 (December 6, 2000))* , and BBBB [65 FR 76378 (December 6, 2000)]* , and that have the capacity to burn less than thirty-five (35) tons (thirty-two (32) megagrams) per day of municipal solid waste or refuse-derived fuel, provided the owner or operator of the incinerator does the following:

(i) Notifies the department and U.S. EPA that the unit meets these criteria.

(ii) Keeps records on a calendar quarter basis of the weight of municipal solid waste burned, and the weight of all other fuels and wastes burned in the unit.

(4) Medical waste incineration units regulated under 40 CFR 60, Subpart Ec* or Ca*.

(5) Small power production units that meet all of the following requirements:

(A) The unit qualifies as a small power-production facility under Section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C))*.

(B) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(C) The owner or operator notifies the department and U.S. EPA that the unit meets all of these requirements.

(6) Cogeneration units that meet all of the following requirements:

(A) The units qualifies as a cogeneration facility under Section 3(18)(C) of the Federal Power Act (16 U.S.C. 796(18)(C))*.

(B) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(C) The owner or operator notifies the department and U.S. EPA that the unit meets all of these requirements.

(7) Hazardous waste combustion units that meet either of the following criteria:

(A) Any combustor required to have a permit under Section 3005 of the Solid Waste Disposal Act*.

(B) Units regulated under 40 CFR 63, Subpart EEE*.

(8) Materials recovery units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

(9) Cyclonic barrel burners.

(10) Rack, part, and drum reclamation units.

(11) Cement kilns regulated under 40 CFR 60, Subpart LLL*.

(12) Sewage sludge incinerators regulated under 40 CFR 60, Subpart O*.

(13) Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The following types of units are considered chemical recovery units:

(A) Units burning only pulping liquors that are reclaimed in a pulping liquor recovery process and reused in the pulping process.

(B) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(C) Units burning only wood or coal feedstock for the production of charcoal.

(D) Units burning only manufacturing byproduct streams or residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(E) Units burning only coke to produce purified carbon

monoxide that is used as an intermediate in the production of other chemical compounds.

(F) Units burning only hydrocarbon liquids or solids to produce hydrogen, carbon monoxide, synthesis gas, or other gases for the use in other manufacturing processes.

(G) Units burning only photographic film to recover silver.

(14) Laboratory analysis units that burn samples of materials for the purpose of chemical or physical analysis.

(c) Exemption notifications required under subsection (b) are due one (1) year from the effective date of this rule.

(d) Pathological waste exemptions submitted under 326 IAC 11-6 satisfy the conditions of subsection (b)(1).

(e) Air curtain incinerators or destructors, only burning one (1) or more of the following materials, are required to comply with 40 CFR 60.2810 through 40 CFR 60.2870, 65 FR 75338 (December 1, 2000) and obtain approval under 326 IAC 4-1-6:

- (1) One hundred percent (100%) wood waste.
- (2) One hundred percent (100%) clean lumber.
- (3) One hundred percent (100%) mixture of only wood waste, clean lumber, yard waste, or any combination of these wastes.

(f) If the owner or operator of a CISWI unit makes changes that meet the definition of modification or reconstruction on or after June 1, 2001, the CISWI unit becomes subject to 40 CFR 60, Subpart CCCC, 65 FR 75338 (December 1, 2000)* and 326 IAC 12, and this rule no longer applies to that unit.

(g) Physical or operational changes made to an existing CISWI unit primarily to comply with emission limits under this rule are not considered modifications or reconstructions and do not result in an existing CISWI unit becoming subject to 40 CFR 60, Subpart CCCC, 65 FR 75338 (December 1, 2000)*.

*These documents are incorporated by reference and may be obtained from the Government Printing Office, 732 North Capitol, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 11-8-1*)

326 IAC 11-8-2 Requirements; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
 Affected: IC 13-15; IC 13-17

Sec. 2. (a) The air pollution control board incorporates by reference the following provisions of 40 CFR 60, Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or before November 30, 1999, 65 FR 75338 (December 1, 2000)*:

- (1) 40 CFR 60.2575 through 40 CFR 60.2615 Increments of Progress.
- (2) 40 CFR 60.2620 through 40 CFR 60.2630 Waste Management Plan.
- (3) 40 CFR 60.2635 through 40 CFR 60.2665 Operator Training and Qualification.
- (4) 40 CFR 60.2670 through 40 CFR 60.2685 Emission Limitations and Operating Limits.

(5) 40 CFR 60.2690 through 40 CFR 60.2695 Performance Testing.

(6) 40 CFR 60.2700 through 40 CFR 60.2705 Initial Compliance Requirements.

(7) 40 CFR 60.2710 through 40 CFR 60.2725 Continuous Compliance Requirements.

(8) 40 CFR 60.2730 through 40 CFR 60.2735 Monitoring.

(9) 40 CFR 60.2740 through 40 CFR 60.2800 Record Keeping and Reporting.

(10) 40 CFR 60.2805 Title V Operating Permits.

(11) 40 CFR 60.2810 through 40 CFR 60.2870 Air Curtain Incinerators.

(12) 40 CFR 60.2875 Definitions.

(13) 40 CFR 60 DDDD Table 1 through 5.

(b) In 40 CFR 60.2575 through 40 CFR 60.2875, 65 FR 75338 (December 1, 2000), "you" means the owner or operator of a CISWI unit.

(c) The compliance dates for the requirements in 40 CFR 60 DDDD Table 1, 65 FR 75338, (December 1, 2000)*, increments of progress, are as follows:

- (1) The compliance date for Increment 1—Submit Final Control Plan shall be one (1) year from the effective date of this rule.
- (2) The compliance date for Increment 2—Final Compliance shall be September 1, 2005.

(d) If a source does not submit a final control plan, the compliance date is one (1) year from the effective date of this rule.

(e) The date of closure included in the closure notifications required by 40 CFR 60.2615, 65 FR 75338 (December 1, 2000) and 40 CFR 60.2865, 65 FR 75338 (December 1, 2000) shall be no later than one (1) year from the effective date of this rule.

*These documents are incorporated by reference and may be obtained from the Government Printing Office, 732 North Capitol, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 11-8-2*)

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-1, IC 13-14-8-2, and IC 13-14-9, notice is hereby given that on February 6, 2002 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on a new rule concerning commercial and industrial solid waste incinerators.

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 draft new rule concerning commercial and industrial solid waste incinerators. 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).

Technical information regarding this action may be obtained from Susan Bem, Program Planning and Policy Section, Office of Air Quality, (317) 233-5697 or (800) 451-6027 extension 3-5697 (in

Indiana). Additional information regarding this action may be obtained from Gayla Killough, Rule Development Section, Office of Air Quality, (317) 234-1377 or (800) 451-6027, press 0, and ask for 4-1377 (in Indiana). If the date of this hearing is changed, it will be notice 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. TDD: (317) 232-6565. Speech and hearing impaired callers may also 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 Quality, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor East, Indianapolis, Indiana and are open for public inspection.

Janet G. McCabe

Assistant Commissioner

Office of Air Quality

TITLE 329 SOLID WASTE MANAGEMENT BOARD

SECOND NOTICE OF COMMENT PERIOD

#00-65(SWMB)

DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING HAZARDOUS WASTE STAGING

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments concerning hazardous waste staging. The amendments will address temporary staging at permitted hazardous waste treatment, storage, and disposal facilities outside of the permitted storage areas, at storage areas subject to interim status requirements and recycling facilities under 40 CFR 261.6(c)(2). For the last several years, staging has been addressed by state policy. The department recognizes that temporary staging is a necessary activity that is not currently reflected in the state rules. Current rules that are strictly interpreted do not allow this activity without a permit. Reliance on discretionary policies complicates enforcement and leaves the regulated community vulnerable to policy shifts or implementation inconsistency. A rule provides protection for the regulated community by allowing staging, by being consistent in implementation and not requiring a permit for storage. 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 329 that may be affected by this rulemaking.

HISTORY

First Notice of Comment Period: April 1, 2000, Indiana Register (23 IR 1789).

CITATIONS AFFECTED: 329 IAC 3.1-4-1; 329 IAC 3.1-4-18.5; 329 IAC 3.1-4-23.5; 329 IAC 3.1-6-2; 329 IAC 3.1-9-4; 329 IAC 3.1-10-4; 329 IAC 3.1-13-2; 329 IAC 3.1-13-21.

AUTHORITY: IC 13-14-8; IC 13-15-1-3; IC 13-22-2.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

The hazardous waste rules define any temporary holding of waste at a given location as storage. Storage ordinarily requires a permit unless specifically excluded by the rules. The temporary holding of waste during loading and unloading, and movement between permitted units is technically storage. This temporary storage is obviously a necessary part of the management of the hazardous waste. The hazardous waste rules have never addressed this type of storage that has been called "staging" by the regulated community. Staging has been handled as a matter of policy in an effort to apply common sense. However, by using policy, not all permits have had consistent staging allowances. By using policy, the regulated facilities are open to different interpretation of the policy by inspectors or other enforcing agencies. By using policy, the regulated facilities are open to more stringent enforcement of the storage permit requirement. An allowance for hazardous waste staging either by policy or rule helps prevent hazardous waste storage off-site at transfer facilities, which could have the potential for unsupervised spills causing serious environmental impacts.

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD

IDEM requested public comment from April 1, 2000, through April 30, 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:

Anthony C. Sullivan, Barnes and Thornburg, representing Quemetco, Inc. (Q)

Michael T. Scanlon, Barnes and Thornburg (BT)

Mark E. Shere, representing Bethlehem Steel Corporation (MS)

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

Comment: The rules should provide a ten-day staging period for facilities that reclaim spent lead-acid batteries that would allow such facilities to stage the batteries on delivery trucks prior to processing for that period of time. A staging period would allow for more efficient plant operations and would benefit the environment. A staging period is necessary for plant operations because of batteries can, at times, outnumber the amount that can be processed immediately, particularly when equipment breaks down or during holidays or weekends. Staging the batteries on-site in trailers is environmentally beneficial because: (1) staging at Quemetco's facility is beneficial because that facility maintains a facility-wide spill collection system, whereas if batteries are not staged at Quemetco's site, they can be staged off-site with no regulation or spill containment and (2) staging on trailers minimized the double-handling of batteries which helps prevent spills. A ten-day period is a reasonable staging time period because it is long enough to allow Quemetco to conduct its normal operations and short enough to ensure that large numbers of batteries cannot accumulate. (Q)

Response: IDEM looked at what other states allow regarding staging. Other states allow staging, however, no other state allows 10 days for staging. Seventy two hours is the maximum allowed by other states. This time frame has also not been challenged by EPA as a recognition of the necessity for staging. Seventy two hours is more than sufficient for facility management of hazardous wastes. To allow staging for 10 days would be less stringent than EPA rules and their interpretation.

Comment: United States Environmental Protection Agency (EPA) agrees that temporary staging of batteries at battery recycling facilities

for up to several weeks does not constitute storage of hazardous waste and is therefore exempt from the hazardous waste regulations. In considering this issue, EPA has stated that “we ordinarily do not consider this temporary holding to constitute storage.” Attachment A is a copy of a letter which provides a more detailed analysis of EPA’s position and that letter is incorporated into these comments by reference. (Q)

Response: The comment takes the EPA statement out of context. The EPA requested comments on whether the federal rules should be revised to allow staging. The federal regulations were never changed. The department and the regulated community should always be aware that the state rules must remain as stringent as the federal regulations. The department is comfortable that allowing staging for the times proposed in this rule is within the discretion EPA has given states.

Comment: No reasons exist for IDEM to impose a more stringent rule than EPA requires. (Q)

Response: EPA regulations do not address staging. IDEM’s rule is not more stringent than the EPA regulations. Any staging provision that Indiana would propose is to clarify when permits are required for temporary holding. Just having a staging rule could mean that the rules are less stringent. EPA will determine if the rule is less stringent when the department submits the Amended Authorization Application after the rule is effective. Remember, the federal preamble to rules and policy letters are not equivalent to statute, regulation, or case law. This is also one of the reasons that Indiana prefers to address staging in a rule. It provides protection for the regulated community.

Comment: The alternative would be for batteries to be staged off-site in a completely unregulated fashion. (Q)

Response: Currently, we do have essentially unregulated storage of batteries at facilities because batteries are exempt until the batteries arrive at the recycling facility. This is an issue with the battery rules and is beyond the scope of this rulemaking.

Comment: As an initial comment, we believe IDEM should extend this comment period for at least an additional 30 days. As indicated in the Notice, this regulation has the potential to impact each and every facility in the State that manages hazardous waste. As IDEM has correctly recognized, each large and small quantity hazardous waste generator, recycler, and treatment, storage, and disposal facility in the state will be faced with complying with this regulation if it is promulgated. We believe this rulemaking will result in substantial interest in the regulated community and suggest it would be in the best interest of both IDEM and the regulated community for IDEM to extend this first comment period thereby allowing it to receive additional information prior to preparing a draft rule. IDEM should also promptly convene a work group made up of TSDs, recyclers, and generators to work with IDEM in determining the specifics of any regulation. (BT)

Response: The department has extended the second notice comment period to 60 days, as the department believes that it is more productive to provide the commentors with specific language for comment. This basic, concise rule implements what has been an agency policy and in permits for years. Several comment periods will be provided as per the statute and the opportunity to address the board at two public hearings. The department is willing to meet with any interested parties to hear concerns. If a workgroup is needed on this rulemaking one will be convened.

Comment: The notice identified the seven factors the board must consider when adopting rules. However, the Notice failed to provide any discussion regarding IDEM’s assessment of how each of those factors applies to this rulemaking. IDEM must provide this information so the regulated community can comment regarding IDEM’s evaluation of those factors. (BT)

Response: The statute at IC 13-14-8-4 requires that the board take

into account the seven factors when adopting rules. The notice is not assessed or considered by the board. There is no requirement for IDEM to provide an assessment of the seven factors. The department provided as much information as was known at the time the First Notice was published.

Comment: The notice states “U.S. EPA has deferred to the states on this [staging] matter.” Because EPA has deferred staging to the states, it appears EPA does not consider it to pose a significant enough threat to human health or the environment to warrant regulation. If EPA does not consider it necessary to regulate staging on a national basis, why has IDEM now determined that rulemaking is required at the state level? The Notice does not identify any specific threats to human health or the environment that will be addressed by this rule nor does it specify any problems that have arisen that require the promulgation of a staging regulation. Therefore, please explain in detail why a staging regulation is necessary and what purpose the rule is intended to fulfill. Without this information, it will be extremely difficult for the regulated community to provide suggestions on alternative ways to achieve that purpose. (BT) (MS)

Response: The federal definition of storage does not provide the regulated community with any relief or leeway. Storage must have a permit and recycling facilities must reclaim the hazardous waste immediately without storage. The department does not believe that the rule currently reflects what is occurring at these permitted hazardous waste facilities and recycling facilities. For the protection of the regulated community and so there is consistent application of the staging allowance, a staging rule is necessary. Without the department’s policy regarding staging, which will be formalized into rule, all storage would be required to be permitted.

Comment: Regarding the applicability of a staging rule for generators, we are not aware of any information supporting the proposition that such a rule is necessary. The current hazardous waste regulations allow generators to accumulate hazardous waste anywhere in their facility so long as they comply with the requirements of 40 CFR 262.34. IDEM has not identified any compelling need to regulate the movement of waste from the 90-day accumulation area(s) to shipping areas (e.g. loading docks). By promulgating a new staging regulation, IDEM will potentially create unnecessary record keeping requirements as well as another layer of complexity in an already complex regulatory program. Please explain in detail why IDEM believes a staging regulation applicable to generators is necessary, the costs and benefits of such a regulation, and existing threat to human health and the environment that such a regulation would address. (BT)

Response: This rule will not apply to generators unless they are also a permitted facility, recycling facility under 329 IAC 3.1-6-2(4), or a facility under the interim status standards. The staging rule will be protection for the regulated community. It will formally allow, by rule, the staging of hazardous waste at the identified facilities. It will be approved by U.S. EPA by the authorization of the rule. It will make all permits consistent with the state rules. There will be no costs to the regulated community. There are only benefits and the assurance of knowing that the facility management, the permit, the facility inspector and the rules are all using the same promulgated and authorized requirements and allowances.

Comment: Regarding the applicability of a staging rule for treatment, storage, disposal, and recycling facilities, IDEM has not clearly stated why it is necessary to promulgate formal regulations addressing “staging” activities. These activities include the movement and management of hazardous waste that has been received by a facility prior to its placement in permitted storage areas, the movement of hazardous waste between permitted storage areas or the removal of hazardous waste from a permitted storage area followed by placement

of the waste back into the permitted storage area, and the movement and management of hazardous waste prior to shipment off-site. Each of these activities are critical to the efficient operation of a TSD. TSDs are already highly regulated and inspected facilities with highly trained employees, emergency response plans, and equipment to handle releases of material, including releases that might occur during "staging." Therefore, creating a new staging regulation may not be necessary. However, if IDEM believes a specific staging regulation applicable to TSDs and recyclers is necessary, please explain in detail why it is necessary, the costs and benefits of such a regulation, and existing threat to human health and the environment that such a regulation would address. (BT)

Response: The department is in agreement with the commenter. The facilities do utilize hazardous waste staging. The rule will reflect the actual management of the hazardous waste at TSDs and unpermitted recycling facilities. It will reflect what has been an departmental policy for several years. A rule will promote consistency with the permits and protect the regulated entities by allowing for staging and putting that allowance specifically in the rules.

Comment: We believe IDEM must meet with the regulated community to determine the appropriate time periods for staging based on the operational constraints that generators and TSDs face (e.g. scheduling rail or truck shipments, performing necessary analyses, managing rejected loads, resolving discrepancies regarding analytical results or paperwork). While we do not know how long a period will be necessary for staging in all situations, if IDEM intends to create a "one-size-fits-all" staging rule with one staging period should be no less than 10 days. The staging period would be consistent with the most classic form of staging under the hazardous waste regulations-storage by transporters at transfer facilities. Obviously, neither IDEM nor EPA has any concerns that a 10 day time period is not protective of human health and the environment because neither agency has changed the regulations applicable to transfer facilities to decrease the amount of time that waste can be stored without a permit. Further, TSDs and recyclers are better prepared than transfer facilities to respond to accidental releases during "staging." TSDs and recyclers are also in a better position to properly manage the waste during staging because of existing facility operating and inspection procedures. Therefore, if IDEM promulgates a staging rule with only one staging period, it should be no less than 10 days. If IDEM is in disagreement with a minimum 10 day staging period, please explain in detail the rationale for the disagreement. (BT)

Response: The staging rule does not apply to generators unless they are also a permitted treatment, storage, or disposal facility, a recycling facility under 329 IAC 3.1-6-2(4), or a facility under the interim status standards. There are several reasons that the limitation or staging time allowance is no more than 72 hours as compared to the 10 days allowed at a transfer facility. The 10 days at a transfer facility was established based on normal occurrences that happen during transportation (i.e., breakdowns, maintenance, and consolidations of small loads into large loads for hauling efficiency, etc.). The transportation process has safeguards built in with the manifest system that triggers notices from the generator if the generator doesn't receive a copy of the manifest in a certain time frame. The 72 hours for staging is also set up to recognize the normal course of events at a recycling facility. This will allow time for sampling, testing, and rejection back to the generator. The time allowed is less because once a waste is received at an identified facility the waste needs to be placed in the security of a regulated unit as soon as possible.

Comment: Bethlehem appreciates IDEM's interest in distinguishing unregulated "staging" of hazardous waste from regulated "storage."

The agency has not provided enough specifics, however, about the practical problem it believes needs to be fixed. According to the agency, "failure to have staging in the rules has created enforcement and permitting problems." What are the problems? At what types of facilities have they occurred? Has any actual harm to the environment resulted? Without answers to these basic question, it is difficult for the outside community to provide specific comment. (MS)

Response: The purpose of this rulemaking is to correct the inconsistencies in permit requirement for staging and the rule. There is also the problem of the stringency of the federal requirement verses what actually takes place during the management of the waste at these facilities. The rule will address staging by regulated recycling facilities that are exempt from permitting because the facilities don't "store" prior to recycling. Currently these facilities are relying wholly on agency discretionary policies to allow 72 hour staging. The department is unaware of any harm to the environment that staging has caused but there is an environmental risk managing hazardous waste. It is doubtful that this rule would be promulgated if environmental harm has occurred by the use of staging for hazardous waste.

Comment: In general terms, it appears that the following revision to the regulatory definitions would provide the clarification that IDEM is seeking:

Rule 4. Definitions

329 IAC 3.1-4-23.5 "Staging" defined

Authority: IC 13-7-7; IC 13-7-8.5

Affected:

Sec. 23.5. "Staging" means the temporary holding of hazardous waste, outside of the primary storage and accumulation areas, for a period of up to 72 hours, in connection with transportation, recycling, or treatment.

329 IAC 3.1-4-23.7 "Storage" defined

Authority: IC 13-7-7; IC 13-7-8.5

Affected:

Sec. 23.6. "Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere. "Storage" does not include "staging" as defined at 329 IAC 3.1-4-23.5. (MS)

Response: The department is using the language that was provided with some modifications.

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:

#00-65(SWMB)[HW Staging]

Marjorie Samuel

Rules, Outreach and Planning Section

Office of Land 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 eleventh floor reception desk, Office of Land Quality, 100 North Senate Avenue, Indianapolis, Indiana.

COMMENT PERIOD DEADLINE

Comments must be postmarked or hand delivered by January 4, 2002.

Additional information regarding this action may be obtained from Lynn West, Rules, Outreach and Planning Section, Office of Land Quality, (317) 232-3593 or (800) 451-6027 (in Indiana).

DRAFT RULE

SECTION 1. 329 IAC 3.1-4-1 IS AMENDED TO READ AS FOLLOWS:

329 IAC 3.1-4-1 Applicability

Authority: IC 13-14-8; IC 13-19-3-1

Affected: IC 13-14-8; IC 13-11-2; 40 CFR 260 through 40 CFR 270

Sec. 1. (a) In addition to the definitions contained in IC 13-11-2 and in this rule, the definitions contained in 40 CFR 260 through 40 CFR 270 are hereby adopted and incorporated by reference and made applicable to this article, except as provided otherwise in subsection (b).

(b) The following are exceptions to federal definitions:

(1) Delete the definitions of "existing tank system" or "existing component" in 40 CFR 260.10 and substitute the definition under section 11 of this rule.

(2) Delete the definitions of "new tank system" or "new tank component" in 40 CFR 260.10 and substitute the definition under section 18 of this rule.

(3) In addition to the definition of "universal waste" in 40 CFR 260.10, add the following: Mercury-containing lamps as described in 329 IAC 3.1-16-2(3).

(4) **In 40 CFR 260.10, to the definition of "storage" add the sentence "Storage does not include staging as defined under section 23.5 of this rule".**

(Solid Waste Management Board; 329 IAC 3.1-4-1; filed Jan 24, 1992, 2:00 p.m.: 15 IR 920; errata filed Feb 6, 1992, 3:15 p.m.: 15 IR 1024; filed Jul 18, 1996, 3:05 p.m.: 19 IR 3354; filed Aug 7, 1996, 5:00 p.m.: 19 IR 3364; errata filed Jan 10, 2000, 3:01 p.m.: 23 IR 1109; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

SECTION 2. 329 IAC 3.1-4-18.5 IS ADDED TO READ AS FOLLOWS:

329 IAC 3.1-4-18.5 "Operating day" defined

Authority: IC 13-14-8; IC 13-22-2

Affected: IC 13-22

Sec. 18.5. "Operating day" means, only for purposes of 329 IAC 3.1-9-4 and 329 IAC 3.1-13-21, any twenty four (24) hour period during which at least a partial shift is worked by employees who process, treat, place into storage, or dispose of hazardous waste at the facility. *(Solid Waste Management Board; 329 IAC 3.1-4-18.5)*

SECTION 3. 329 IAC 3.1-4-23.5 IS ADDED TO READ AS FOLLOWS:

329 IAC 3.1-4-23.5 "Staging" defined

Authority: IC 13-14-8; IC 13-22-2

Affected: IC 13-22

Sec. 23.5. "Staging" means, in connection with transportation, recycling, or treatment, the temporary holding of hazardous waste at the following:

(1) **Outside the permitted storage unit that is permitted under 329 IAC 3.1-13.**

(2) **Outside of the storage areas subject to interim status requirements under 329 IAC 3.1-10.**

(3) **Recycling facilities under 40 CFR 261.6(c)(2).**

Staging within the specified time allowed by rule does not require a permit under 329 IAC 3.1-13. *(Solid Waste Management Board; 329 IAC 3.1-4-23.5)*

SECTION 4. 329 IAC 3.1-6-2, AS AMENDED AT 24 IR 2432, SECTION 2, IS AMENDED TO READ AS FOLLOWS:

329 IAC 3.1-6-2 Exceptions and additions; identification and listing of hazardous waste

Authority: IC 13-14-8; IC 13-22-2-4

Affected: IC 13-11-2-99; IC 13-11-2-205; IC 13-14-2-2; IC 13-14-10-1; IC 13-22-2-3; 40 CFR 261

Sec. 2. Exceptions and additions to federal standards for identification and listing of hazardous waste are as follows:

(1) This rule identifies only some of the materials which are solid waste as defined by IC 13-11-2-205(a) and hazardous waste as defined by IC 13-11-2-99(a), including IC 13-22-2-3(b). A material which is not defined as a solid waste in this rule, or is not a hazardous waste identified or listed in this rule, is still a solid waste and a hazardous waste for purposes of this article if:

(A) in the case of IC 13-14-2-2, the commissioner has reason to believe that the material may be a solid waste within the meaning of IC 13-11-2-205(a) and a hazardous waste within the meaning of IC 13-11-2-99(a); or

(B) in the case of IC 13-14-10-1, the statutory elements are established.

(2) Delete 40 CFR 261.2(f) and substitute the following: Respondents in actions to enforce regulations implementing IC 13 who raise a claim that a certain material is not a solid waste, or is conditionally exempt from regulation, must demonstrate that there is a known market or disposition for the material and that they meet the terms of the exclusion or exemption. In doing so, they must provide appropriate documentation to demonstrate that the material is not a waste or is exempt from regulation. An example of appropriate documentation is a contract showing that a second person uses the material as an ingredient in a production process. In addition, owners or operators of facilities claiming that they actually are recycling materials must show that they have the necessary equipment to do so.

(3) References to the "administrator" in 40 CFR 261.10 through 40 CFR 261.11 means the SWMB.

(4) In addition to the requirements outlined in 40 CFR 261.6(c)(2), owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to 40 CFR 265.10 through 40 CFR 265.77. **Facilities that recycle recyclable materials under 40 CFR 261.6(c)(2) may stage hazardous waste pursuant to 329 IAC 3.1-10-4.**

(5) In addition to the listing of federal hazardous waste incorporated by reference in section 1 of this rule, the wastes listed in section 3 of this rule are added to the listing.

(6) In 40 CFR 261.4(e)(3)(iii), delete the words "in the Region where the sample is collected".

(7) Delete 40 CFR 261, Appendix IX.

(8) In 40 CFR 261.21(a)(3), delete "an ignitable compressed gas as defined in 49 CFR 173.300" and substitute "a flammable gas as defined in 49 CFR 173.115(a)".

(9) In 40 CFR 261.21(a)(4), delete "an oxidizer as defined in 49 CFR 173.151" and substitute "an oxidizer as defined in 49 CFR 173.127".

(10) Delete 40 CFR 261.23(a)(8) and substitute "It is a forbidden explosive as defined in 49 CFR 173.54; or would have been a Class A explosive as defined in 49 CFR 173.54 prior to HM-181, or a Class B explosive as defined in 49 CFR 173.88 prior to HM-181."

(11) Delete 40 CFR 261.1(c)(9) through 40 CFR 261.1(c)(12).

- (12) Delete 40 CFR 261.4(a)(13) and substitute section 4 of this rule.
- (13) Delete 40 CFR 261.4(a)(14) and substitute section 4 of this rule.
- (14) Delete 40 CFR 261.6(a)(3)(ii) and substitute section 4 of this rule.
- (15) Delete 40 CFR 261.2(e)(1)(i) dealing with use or reuse of secondary materials to make products and substitute section 5 of this rule.

(Solid Waste Management Board; 329 IAC 3.1-6-2; filed Jan 24, 1992, 2:00 p.m.: 15 IR 924; filed May 6, 1994, 5:00 p.m.: 17 IR 2063; filed Jul 18, 1996, 3:05 p.m.: 19 IR 3355; filed Aug 7, 1996, 5:00 p.m.: 19 IR 3364; filed Jan 9, 1997, 4:00 p.m.: 20 IR 1112; filed Mar 19, 1998, 10:05 a.m.: 21 IR 2741; filed Jan 3, 2000, 10:00 a.m.: 23 IR 1096; filed Mar 6, 2000, 8:02 a.m.: 23 IR 1638; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535; filed Apr 5, 2001, 1:29 p.m.: 24 IR 2432)

SECTION 5. 329 IAC 3.1-9-4 IS ADDED TO READ AS FOLLOWS:

329 IAC 3.1-9-4 Exceptions and additions; staging

Authority: IC 13-14-8; IC 13-22-2-4
Affected: IC 13-22-2; 40 CFR 264, Subpart J

Sec. 4. A permitted facility may have staging, as defined under 329 IAC 3.1-4-23.5, of hazardous waste as follows:

- (1) Incoming hazardous waste as follows:
 - (A) At facilities that operate without permitted storage units, staging is up to three (3) calendar days.
 - (B) At facilities that have permitted storage units, staging is up to three (3) operating days.
- (2) Hazardous waste staged between permitted units, for eight (8) hours.
- (3) Hazardous waste staged immediately prior to leaving the facility, for twenty-four (24) hours.
- (4) The facility must inspect for leaking containers, overpack any leaking containers and cleanup any releases at the staging area.
- (5) The facility must keep a map locating staging areas or a log identifying the location of staging areas at the facility.

(Solid Waste Management Board; 329 IAC 3.1-9-4)

SECTION 6. 329 IAC 3.1-10-4 IS ADDED TO READ AS FOLLOWS:

329 IAC 3.1-10-4 Exceptions and additions; staging

Authority: IC 13-14-8; IC 13-22-2-4
Affected: IC 13-22-2; 40 CFR 264, Subpart J

Sec. 4. A facility with interim status may have staging, as defined under 329 IAC 3.1-4-23.5, of the hazardous waste as follows:

- (1) Incoming hazardous waste for seventy-two (72) hours.
- (2) Hazardous waste between units for eight (8) hours.
- (3) Hazardous waste leaving the interim facility for twenty-four (24) hours.
- (4) The facility must inspect for leaking containers, overpack any leaking containers and cleanup any releases at the staging area.
- (5) The facility must keep a map locating staging areas or a log identifying the locations of staging areas at the facility.

(Solid Waste Management Board; 329 IAC 3.1-10-4)

SECTION 7. 329 IAC 3.1-13-2, AS AMENDED AT 24 IR 2436, SECTION 7, IS AMENDED TO READ AS FOLLOWS:

329 IAC 3.1-13-2 Exceptions and additions; permit program

Authority: IC 13-14-8; IC 13-22-2-4
Affected: IC 4-21.5; IC 13-22-2; 40 CFR 270

Sec. 2. Exceptions and additions to federal procedures for the state administered permit program are as follows:

(1) Delete 40 CFR 270.1(a) dealing with scope of the permit program and substitute the following: This rule establishes provisions for the state hazardous waste program pursuant to IC 13-15 and IC 13-22-3.

(2) In addition to the procedures of 40 CFR 270 as incorporated in this rule, sections 3 through 17 of this rule set forth additional state procedures for denying, issuing, modifying, revoking and reissuing, and terminating all final state permits other than "emergency permits" and "permits by rule".

(3) Delete 40 CFR 270.1(b).

(4) In addition to the definitions in 40 CFR 270.2, add the definition of "staging" as "Staging" means, in connection with transportation, recycling, or treatment, the temporary holding of hazardous waste at the following:

(A) Outside the permitted storage unit that is permitted under 329 IAC 3.1-13.

(B) Outside of the storage areas subject to interim status requirements under 329 IAC 3.1-10.

(C) Recycling facilities under 40 CFR 261.6(c)(2).

Staging within the specified time allowed by rule does not require a permit under 329 IAC 3.1-13.

(5) In 40 CFR 270.2, in the definition of "storage", add "Storage does not include staging as defined in this section."

~~(4)~~ (6) Delete 40 CFR 270.3.

~~(5)~~ (7) Delete 40 CFR 270.10 dealing with general permit application requirements and substitute section 3 of this rule.

~~(6)~~ (8) Delete 40 CFR 270.12 dealing with confidentiality of information and substitute section 4 of this rule.

~~(7)~~ (9) Delete 40 CFR 270.14(b)(18).

~~(8)~~ (10) Delete 40 CFR 270.14(b)(20).

~~(9)~~ (11) In 40 CFR 270.32(a), delete references to "alternate schedules of compliance" and "considerations under federal law". These references in the federal permit requirements are only applicable to federally issued permits.

~~(10)~~ (12) Delete 40 CFR 270.32(c) dealing with the establishment of permit conditions and substitute the following: If new requirements become effective, including any interim final regulations, during the permitting process which are:

(A) prior to modification, or revocation and reissuance, of a permit to the extent allowed in this rule; and

(B) of sufficient magnitude to make additional proceeding desirable, the commissioner shall at her discretion, reopen the comment period.

~~(11)~~ (13) Delete 40 CFR 270.50 dealing with duration of permits and substitute section 15 of this rule.

~~(12)~~ (14) Delete 40 CFR 270.51 dealing with continuation of expiring permits and substitute section 16 of this rule.

~~(13)~~ (15) Delete 40 CFR 270.64.

~~(14)~~ (16) In addition to the criteria described in 40 CFR 270.73, interim status may also be terminated pursuant to a judicial decree under IC 13-30 or final administrative order under IC 4-21.5.

(Solid Waste Management Board; 329 IAC 3.1-13-2; filed Jan 24, 1992, 2:00 p.m.: 15 IR 940; filed Jul 18, 1996, 3:05 p.m.: 19 IR 3358; filed Aug 7, 1996, 5:00 p.m.: 19 IR 3367; errata filed Aug 7, 1996, 5:01 p.m.: 19 IR 3471; errata filed Jan 10, 2000, 3:01 p.m.: 23 IR

1109; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535; filed Apr 5, 2001, 1:29 p.m.: 24 IR 2436)

SECTION 8. 329 IAC 3.1-13-21 IS ADDED TO READ AS FOLLOWS:

329 IAC 3.1-13-21 Exceptions and additions; staging

Authority: IC 13-14-8; IC 13-22-2-4

Affected: IC 13-22-2; 40 CFR 264, Subpart J

Sec. 21. A permitted facility may have staging, as defined under 329 IAC 3.1-4-23.5, of hazardous waste as follows:

(1) Incoming hazardous waste as follows:

(A) At facilities that operate without permitted storage units, staging is up to three (3) calendar days.

(B) At facilities that have permitted storage units, staging is up to three (3) operating days.

(2) Hazardous waste staged between permitted units, for eight (8) hours.

(3) Hazardous waste staged immediately prior to leaving the facility, for twenty-four (24) hours.

(4) The facility must inspect for leaking containers, overpack any leaking containers and cleanup any releases at the staging area.

(5) The facility must keep a map locating staging areas or a log identifying the location of staging areas at the facility.

(Solid Waste Management Board; 329 IAC 3.1-13-21)

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 February 19, 2002, at 1:30 p.m., Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Solid Waste Management Board will hold a public hearing on amendments to 329 IAC 3.1.

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 Lynn West, Rules, Outreach and Planning Section, Office of Land Quality, (317) 232-3593 or (800) 451-6027 (in Indiana).

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 (V) or (317) 233-6565 (TDD). Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Central File Room, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Twelfth Floor, Indianapolis, Indiana and are open for public inspection.

Bruce Palin

Deputy Assistant Commissioner

Office of Land Quality
