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

### **Proposed Rule** LSA Document #02-336

#### **DIGEST**

Adds 326 IAC 20-49, 326 IAC 20-50, 326 IAC 20-51, 326 IAC 20-52, 326 IAC 20-53, 326 IAC 20-54, and 326 IAC 20-55 concerning national emission standards for hazardous air pollutants (NESHAP) for new and existing plant sites for pulp and paper mills (combustion), some emission units at petroleum refineries, manufacturing of nutritional yeast, cellulose manufacturing, leather finishing operations, wet formed fiberglass mat production, and tire manufacturing. Effective 30 days after filing with the secretary of state.

#### **HISTORY**

Second Notice of Comment Period and Notice of First Hearing: January 1, 2003, Indiana Register (26 IR 1266).

Date of First Hearing: April 16, 2003.

#### **PUBLIC COMMENTS UNDER IC 13-14-9-4.5**

IC 13-14-9-4.5 states that a board may not adopt a rule under IC 13-14-9 that is substantively different from the draft rule published under IC 13-14-9-4, until the board has conducted a third comment period that is at least twenty-one (21) days long.

Because this proposed rule is not substantively different from the draft rule published on January 1, 2003, at 26 IR 1266, the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

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

IDEM requested public comment from January 1, 2003, through February 3, 2003, on IDEM's draft rule language.

No comments were received during the second comment period.

#### **SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING**

On April 16, 2003, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of new rules 326 IAC 20-49, 326 IAC 20-50, 326 IAC 20-51, 326 IAC 20-52, 326 IAC 20-53, 326 IAC 20-54, and 326 IAC 20-55.

No comments were made at the first hearing.

<b>326 IAC 20-49</b>	<b>326 IAC 20-53</b>
<b>326 IAC 20-50</b>	<b>326 IAC 20-54</b>
<b>326 IAC 20-51</b>	<b>326 IAC 20-55</b>
<b>326 IAC 20-52</b>	

SECTION 1. 326 IAC 20-49 IS ADDED TO READ AS FOLLOWS:

#### **Rule 49. Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills**

##### **326 IAC 20-49-1 Applicability; 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. 1. (a) This rule applies to sources as provided in 40 CFR 63.860\* (66 FR 3193, January 12, 2001).**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart MM\*, (66 FR 3193, January 12, 2001,**

66 FR 37591, July 19, 2001, and 66 FR 41086, August 6, 2001), National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-49-1*)

SECTION 2. 326 IAC 20-50 IS ADDED TO READ AS FOLLOWS:

**Rule 50. Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units**

**326 IAC 20-50-1 Applicability; 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. 1. (a)** This rule applies to sources as provided in 40 CFR 63.1561\* (67 FR 17774, April 11, 2002).

**(b)** The air pollution control board incorporates by reference 40 CFR 63, Subpart UUU\*, (67 FR 17773, April 11, 2002), National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-50-1*)

SECTION 3. 326 IAC 20-51 IS ADDED TO READ AS FOLLOWS:

**Rule 51. Manufacturing of Nutritional Yeast**

**326 IAC 20-51-1 Applicability; 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. 1. (a)** This rule applies to sources as provided in 40 CFR 63.2131\* (66 FR 27884, May 21, 2001).

**(b)** The air pollution control board incorporates by reference 40 CFR 63, Subpart CCCC\*, (66 FR 27884, May 21, 2001), National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast.

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-51-1*)

SECTION 4. 326 IAC 20-52 IS ADDED TO READ AS FOLLOWS:

**Rule 52. Wet-Formed Fiberglass Mat Production**

**326 IAC 20-52-1 Applicability; 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. 1. (a)** This rule applies to sources as provided in 40 CFR 63.2981\* (67 FR 17835, April 11, 2002).

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart HHHH\*, (67 FR 17835, April 11, 2002), National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production.**

*\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 20-52-1)*

SECTION 5. 326 IAC 20-53 IS ADDED TO READ AS FOLLOWS:

**Rule 53. Leather Finishing Operations**

**326 IAC 20-53-1 Applicability; 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. 1. (a) This rule applies to sources as provided in 40 CFR 63.5285\* (67 FR 9162, February 27, 2002).**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart TTTT\*, (67 FR 9162, February 27, 2002), National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations.**

*\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 20-53-1)*

SECTION 6. 326 IAC 20-54 IS ADDED TO READ AS FOLLOWS:

**Rule 54. Cellulose Products Manufacturing**

**326 IAC 20-54-1 Applicability; 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. 1. (a) This rule applies to sources as provided in 40 CFR 63.5485\* (67 FR 40055, June 11, 2002).**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart UUUU\*, (67 FR 40055, June 11, 2002), National Emission Standards for Hazardous Air Pollutants: Cellulose Products Manufacturing.**

*\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 20-54-1)*

SECTION 7. 326 IAC 20-55 IS ADDED TO READ AS FOLLOWS:

**Rule 55. Rubber Tire Manufacturing**

**326 IAC 20-55-1 Applicability; 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. 1. (a) This rule applies to sources as provided in 40 CFR 63.5981\* (67 FR 45599, July 9, 2002).**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart XXXX\*, (67 FR 45599, July 9, 2002), National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing.**

**\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, 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, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 20-55-1)**

***Notice of Public Hearing***

*Under IC 4-22-2-24, IC 13-14-8-6, and IC 13-14-9, notice is hereby given that on September 3, 2003 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on proposed new rules 326 IAC 20-49, 326 IAC 20-50, 326 IAC 20-51, 326 IAC 20-52, 326 IAC 20-53, 326 IAC 20-54, and 326 IAC 20-55.*

*The purpose of this hearing is to receive comments from the public prior to final 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 new rules. Oral statements will be heard, but for the accuracy of the record, all comments should be submitted in writing.*

*Additional information regarding this action may be obtained from Gayla Killough, Rule Development Section, Office of Air Quality, (317) 233-8628 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) 233-0855. (TDD): (317) 232-6565. Speech and hearing impaired callers may contact IDEM 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 Government Center-North, 100 North Senate Avenue, Tenth Floor East and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Janet G. McCabe  
Assistant Commissioner  
Office of Air Quality