

Document: Proposed Rule, **Register Page Number:** 26 IR 3376

Source: July 1, 2003, Indiana Register, Volume 26, Number 10

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TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule LSA Document #03-69

DIGEST

Amends 326 IAC 1-3-4 to add the federal eight hour ozone standards to 326 IAC. Effective 30 days after filing with the secretary of state.

HISTORY

IC Notice 13-14-9-8 and Notice of First Hearing: April 1, 2003 Indiana Register (26 IR 2485).

Date of First Hearing: June 4, 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 April 1, 2003, at 26 IR 2485, the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On June 4, 2003, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of amendments to 326 IAC 1-3-4. No comments were made at the first hearing.

326 IAC 1-3-4

SECTION 1. 326 IAC 1-3-4 IS AMENDED TO READ AS FOLLOWS:

326 IAC 1-3-4 Ambient air quality standards

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

Affected: IC 13-15; IC 13-17

Sec. 4. (a) The following ambient air quality standards, corrected to a reference temperature of 25°C : **twenty-five (25) degrees Celsius** and to a reference pressure of seven hundred sixty (760) millimeters of mercury (one thousand thirteen and two-tenths (1,013.2) millibars), as micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). ~~shall apply.~~

(b) Ambient air quality standards are as follows:

(1) Sulfur oxides as sulfur dioxide (SO_2) requirements are as follows:

(A) For primary standards, the following values shall represent the maximum permissible ambient air quality levels:

(i) Eighty (80) $\mu\text{g}/\text{m}^3$ ~~(three-hundredth)~~ **(three-hundredths (0.03) parts per million (ppm))** annual arithmetic mean.

(ii) Three hundred sixty-five (365) $\mu\text{g}/\text{m}^3$ ~~(fourteen-hundredth)~~ **(fourteen-hundredths (0.14) ppm)** maximum twenty-four (24) hour average concentration not to be exceeded more than one (1) day per year.

(B) For secondary standards, the following value shall represent the maximum permissible ambient air quality levels: one thousand three hundred (1,300) $\mu\text{g}/\text{m}^3$ ~~(five-tenth)~~ **(five-tenths (0.5) ppm)** maximum three (3) hour concentration not to be exceeded more than once per year.

(C) Sulfur dioxide SO_2 values may be converted to ~~parts per million~~ ppm using the conversion factor two thousand six hundred twenty (2,620) $\mu\text{g}/\text{m}^3 =$ one (1) ppm.

(2) Total suspended ~~Particulate~~ **particulates (TSP) requirements are as follows:**

(A) For primary standards, the following values shall represent the maximum permissible ambient air quality levels:

(i) Seventy-five (75) $\mu\text{g}/\text{m}^3$ annual geometric mean.

(ii) Two hundred sixty (260) $\mu\text{g}/\text{m}^3$ maximum twenty-four (24) hour average concentration not to be exceeded more than one (1) day per year.

(B) For secondary standards, the following value shall represent maximum permissible ambient air quality levels: one hundred fifty (150) $\mu\text{g}/\text{m}^3$ maximum twenty-four (24) hour average concentration not to be exceeded more than one (1) day per year.

(3) Carbon monoxide (CO) requirements are as follows:

(A) For primary and secondary standards, the following values shall represent the maximum permissible ambient air quality levels:

(i) Ten (10) milligrams per cubic meter (**mg/m^3**) (ten thousand (10,000) $\mu\text{g}/\text{m}^3$) (nine (9) ppm) maximum eight (8) hour average concentration not to be exceeded more than once per year.

(ii) Forty (40) milligrams per cubic meter **mg/m^3** (forty thousand (40,000) $\mu\text{g}/\text{m}^3$) (thirty-five (35) ppm) maximum one (1) hour average concentration not to be exceeded more than once per year.

(B) ~~Carbon monoxide CO~~ values may be converted to ~~parts per million~~ ppm using the conversion factor one thousand one hundred forty-five (1,145) $\mu\text{g}/\text{m}^3 =$ one (1) ppm.

(4) Ozone (O_3) requirements shall be as follows:

(A) For ~~primary and secondary~~ **the one (1) hour ozone** standards, the following values shall represent the maximum permissible ambient air quality level: ~~the expected number of days with maximum hourly ozone concentrations above two hundred thirty-five (235) $\mu\text{g}/\text{m}^3$ (twelve-hundredths (0.12) ppm) shall not exceed one (1) per calendar year.~~ **level of the one (1) hour primary and secondary ambient air quality standards for ozone measured by a reference method based on 40 CFR 50, Appendix D* and designated in accordance with 40 CFR 53* is twelve-hundredths (0.12) ppm (two hundred thirty-five (235) $\mu\text{g}/\text{m}^3$). The standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above twelve-hundredths (0.12) ppm (two hundred thirty-five (235) $\mu\text{g}/\text{m}^3$) is equal to or less than one (1) as determined by 40 CFR 50, Appendix H*.**

(B) ~~For the eight (8) hour ozone standards, the:~~

(i) ~~level of the eight (8) hour primary and secondary ambient air quality standards for ozone, measured by a reference method based on 40 CFR 50, Appendix D* and designated in accordance with 40 CFR 53*, is eight-hundredths (0.08) ppm, daily maximum eight (8) hour average; and~~

(ii) ~~eight (8) hour primary and secondary ozone ambient air quality standards are met at an ambient air quality monitoring site when the average of the annual fourth highest daily maximum eight (8) hour average ozone concentration is less than or equal to eight-hundredths (0.08) ppm as determined in accordance with 40 CFR 50, Appendix I*.~~

~~(B) Ozone (C) O_3 values may be converted to parts per million ppm using the conversion factor one thousand nine hundred sixty-five (1,965) $\mu\text{g}/\text{m}^3 =$ one (1) 1.0 ppm.~~

(5) Nitrogen dioxide (NO_2) requirements shall be as follows:

(A) For primary and secondary ~~standard; standards,~~ standards, the following value shall represent the maximum permissible ambient air quality level: one hundred (100) $\mu\text{g}/\text{m}^3$ ~~(five-hundredth~~ **(five-hundredths (0.05) ppm)** annual arithmetic mean.

(B) ~~Nitrogen dioxide NO_2 values may be converted to parts per million ppm using the conversion factor one thousand eight hundred eighty (1,880) $\mu\text{g}/\text{m}^3 =$ one (1) ppm.~~

(6) Lead (Pb): ~~(A) For primary and secondary standard; standards,~~ standards, the following value shall represent the maximum permissible ambient air quality level: one and ~~five-tenth~~ **five-tenths (1.5) micrograms lead per cubic meter of air (μg of Pb/m^3), averaged over a calendar quarter and measured as elemental lead.**

(7) PM_{10} : ~~(A) For primary and secondary standards, the following values shall represent the maximum permissible ambient air quality levels:~~

~~(i) (A) Fifty (50) $\mu\text{g}/\text{m}^3$ annual arithmetic mean. The standards are attained when the expected annual arithmetic mean concentration, as determined in accordance with 40 CFR 50, Appendix K*, is less than or equal to fifty (50) $\mu\text{g}/\text{m}^3$.~~

~~(ii) (B) One hundred fifty (150) $\mu\text{g}/\text{m}^3$ maximum twenty-four (24) hour average concentration. The standards are attained when the expected number of days per calendar year with a twenty-four (24) hour average concentration above one hundred fifty (150) $\mu\text{g}/\text{m}^3$, as determined in accordance with 40 CFR 50, Appendix K*, is equal to or less than one (1).~~

~~*This document is~~ ***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 1-3-4; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2378; filed Apr*

13, 1988, 3:35 p.m.: 11 IR 3020; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed May 21, 2002, 10:20 a.m.: 25 IR 3055)

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 amendments to 326 IAC 1-3-4.

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 amendments. 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 Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor 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 Management