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TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule LSA Document #03-285

DIGEST

Adds 326 IAC 20-63 concerning surface coating of large appliances; 326 IAC 20-64 concerning surface coating of metal coil; 326 IAC 20-65 concerning paper and other web coating; 326 IAC 20-66 concerning flexible polyurethane foam fabrication operations; 326 IAC 20-67 concerning municipal solid waste landfills; 326 IAC 20-68 concerning friction materials manufacturing facilities; and 326 IAC 20-69 concerning polyvinyl chloride and copolymers production. Effective 30 days after filing with the secretary of state.

HISTORY

Second Notice of Comment Period and Notice of First Hearing: November 1, 2003, Indiana Register (27 IR 579).

Change in Notice of First Hearing: January 1, 2004, Indiana Register (27 IR 1195).

Date of First Hearing: March 3, 2004.

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 November 1, 2003, at 27 IR 579, 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

The Indiana Department of Environmental Management (IDEM) requested public comment from November 1, 2003, through December 1, 2003, on IDEM's draft rule language.

No comments were received during the comment period.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On March 3, 2004, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of new rules 326 IAC 20-63, 326 IAC 20-64, 326 IAC 20-65, 326 IAC 20-66, 326 IAC 20-67, 326 IAC 20-68, and 326 IAC 20-69.

No comments were made at the first hearing.

326 IAC 20-63	326 IAC 20-67
326 IAC 20-64	326 IAC 20-68
326 IAC 20-65	326 IAC 20-69
326 IAC 20-66	

SECTION 1. 326 IAC 20-63 IS ADDED TO READ AS FOLLOWS:

Rule 63. Surface Coating of Large Appliances

326 IAC 20-63-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.4081 (67 FR 48262, July 23, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart NNNN (67 FR 48262, July 23, 2002)*, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Large Appliances.

***This document is 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 20-63-1*)**

SECTION 2. 326 IAC 20-64 IS ADDED TO READ AS FOLLOWS:

Rule 64. Surface Coating of Metal Coil

326 IAC 20-64-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.5090 (67 FR 39811, June 10, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart SSSS (67 FR 39811, June 10, 2002, and 68 FR 12592, March 17, 2003)*, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Coil.

***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 20-64-1*)**

SECTION 3. 326 IAC 20-65 IS ADDED TO READ AS FOLLOWS:

Rule 65. Paper and Other Web Coating

326 IAC 20-65-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.3290 (67 FR 72341, December 4, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart JJJJ (67 FR 72341, December 4, 2002)*, National Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coating.

***This document is 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 20-65-1*)**

SECTION 4. 326 IAC 20-66 IS ADDED TO READ AS FOLLOWS:

Rule 66. Flexible Polyurethane Foam Fabrication Operations

326 IAC 20-66-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.8782 (68 FR 18069, April 14, 2003)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart M MMMM (68 FR 18069, April 14, 2003)*, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Fabrication Operations.

*This document is 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 20-66-1*)

SECTION 5. 326 IAC 20-67 IS ADDED TO READ AS FOLLOWS:

Rule 67. Municipal Solid Waste Landfills

326 IAC 20-67-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.1935 (68 FR 2238, January 16, 2003)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart A AAAA (68 FR 2238, January 16, 2003)*, National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills.

*This document is 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 20-67-1*)

SECTION 6. 326 IAC 20-68 IS ADDED TO READ AS FOLLOWS:

Rule 68. Friction Material Manufacturing Facilities

326 IAC 20-68-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.9485 (67 FR 64506, October 18, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart Q QQQQ (67 FR 64506, October 18, 2002)*, National Emission Standards for Hazardous Air Pollutants for Friction Material Manufacturing Facilities.

*This document is 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 20-68-1*)

SECTION 7. 326 IAC 20-69 IS ADDED TO READ AS FOLLOWS:

Rule 69. Polyvinyl Chloride and Copolymers Production

326 IAC 20-69-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; 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 63.211 (67 FR 45891, July 10, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart J (67 FR 45891, July 10, 2002)*, National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production.

***This document is 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 20-69-1)**

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 May 5, 2004 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 proposed new rules 326 IAC 20-63, 326 IAC 20-64, 326 IAC 20-65, 326 IAC 20-66, 326 IAC 20-67, 326 IAC 20-68, and 326 IAC 20-69.

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 Gayl 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