

**Document:** IC 13-14-9 Notice, **Register Page Number:** 28 IR 680

**Source:** November 1, 2004, Indiana Register, Volume 28, Number 2

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

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

#04-234(APCB)

## **DEVELOPMENT OF AMENDMENTS CONCERNING SAINT MARY'S COLLEGE/HOLY CROSS 326 IAC 6.5-7-13**

### **PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to 326 IAC 6.5-7-13 concerning particulate matter emission limitations in St. Joseph County. 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, 2004, Indiana Register (27 IR 4144).

**CITATIONS AFFECTED:** 326 IAC 6.5-7-13.

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

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

#### **Basic Purpose and Background**

Holy Cross Services Corporation, on behalf of St. Mary's College, has submitted a request that IDEM clarify particulate matter emission limitations at 326 IAC 6.5-7-13 to reflect current operating conditions. Currently, 326 IAC 6.5-7-13 states that St. Mary's Boiler No. 1 is 100% natural gas fired with a maximum output of 63 MMBtu/hr. and Boilers No. 2 and No. 3 are coal fired. However, Boilers No. 1 and No. 2 are actually natural gas fired but also set up to burn No. 2 fuel oil as a backup. In addition, Boiler No. 1 only has a maximum output of 31.5 MMBtu/hr., and Boiler No. 3 exclusively burns natural gas. This outdated information is reflected in St. Mary's Federally Enforceable State Operating Permit (FESOP) which impacts the College's ability to use their facility as it is designed. The purpose of this rulemaking is to update 326 IAC 6.5-7-13 to clarify that Boilers No. 1 and No. 2 at St. Mary's burn natural gas as their primary fuel with No. 2 fuel oil as a backup fuel, Boiler No. 3 burns 100% natural gas, and Boiler No. 1 has a maximum output of 31.5 MMBtu/hr. This rulemaking will not alter the usage limit of 704, 225 gallons of No. 2 fuel oil per 12 consecutive month period for each of the Boilers No. 1 and No. 2 currently allowed by the permit and will not increase actual emissions.

#### **Identification of Restrictions and Requirements Not Imposed Under Federal Law**

No element of the draft rule imposes either a restriction or a requirement on persons to whom the draft rule applies that is not imposed under federal law.

#### **Potential Fiscal Impact**

No potential fiscal impact exists.

#### **Public Participation and Workgroup Information**

No workgroup is planned for this rulemaking. If you feel that a workgroup or other informal discussion on the rule is appropriate, please contact Sky Schelle, Rules Section, Office of Air Quality at (317) 234-3533 or (800) 451-6027 (in Indiana).

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

IDEM requested public comment from September 1, 2004, through October 1, 2004, 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:

#04-234(APCB) Holy Cross Amendments  
 Sky Schelle  
 c/o Administrative Assistant  
 Rules Development Section  
 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.

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, faxed, or hand delivered by December 6, 2004.

Additional information regarding this action may be obtained from Sky Schelle, Rules Section, Office of Air Quality, (317) 234-3533 or (800) 451-6027 (in Indiana).

**DRAFT RULE**

SECTION 1. 326 IAC 6.5-7-13 IS AMENDED TO READ AS FOLLOWS:

**326 IAC 6.5-7-13 Saint Mary's**

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

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

Sec. 13. (a) Saint Mary's in St. Joseph County shall meet the following emission limits:

Source	NEDS Plant ID	Point Input ID	Process	Emission Limits		
				tons/yr	lbs/million Btu	grains/dscf
Saint Mary's <b>natural gas fired with fuel oil No. 2 as a backup</b>	01	54P	Boiler No. <del>2</del> <b>1</b> Gas Fired <del>63</del> <b>31.5</b> MMBtu/Hr.	12.90		0.110
<b>natural gas fired with fuel oil No. 2 as a backup</b>	02	55P	Boiler No. <del>3</del> <b>2</b> Gas Fired 63 MMBtu/Hr.	12.90		0.110
100% natural gas	03	56P	Boiler No. <del>4</del> <b>3</b> Gas Fired 63 MMBtu/Hr.			

(b) Boiler No. ~~4~~ **3** at Saint Mary's, identified in subsection (a) as one hundred percent (100%) natural gas burner, shall burn only natural gas. (*Air Pollution Control Board; 326 IAC 6.5-7-13*)

**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 2, 2005, 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 6.5-7-13.*

*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.*

*Additional information regarding this action may be obtained from Sky Schelle, Rules Development Section, Office of Air Quality, (317) 234-3533 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 Department of Environmental Management, 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.*