

TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule LSA Document #04-235

DIGEST

Adds 326 IAC 20-82 to incorporate by reference the national emission standards for hazardous air pollutants for stationary reciprocating internal combustion engines. Effective 30 days after filing with the secretary of state.

HISTORY

Notice of First Hearing: November 3, 2004, Indiana Register (27 IR 4146).

Date of First Hearing: November 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 3, 2004, at 27 IR 4146, 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 November 3, 2004, the Air Pollution Control Board conducted the first public hearing concerning the development of new rule 326 IAC 20-82. No comments were made at the first hearing.

326 IAC 20-82

SECTION 1. 326 IAC 20-82 IS ADDED TO READ AS FOLLOWS:

Rule 82. Stationary Reciprocating Internal Combustion Engines

326 IAC 20-82-1 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 63.6585* (69 FR 33506, June 15, 2004).

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart ZZZZ* (69 FR 33506, June 15, 2004, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines).

*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 Environment Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-82-1*)

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 January 5, 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 proposed new rule 326 IAC 20-82.

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 rule 326 IAC 20-82. 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, Rule 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, 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 McCabe

Assistant Commissioner

Office of Air Quality