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TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #04-148(F)

DIGEST

Amends 326 IAC 1-4-1 concerning attainment status designations for the 8-hour ozone national ambient air quality standard. Effective 30 days after filing with the secretary of state.

HISTORY

IC 13-14-9-8 Notice and Notice of First Hearing: June 1, 2004, Indiana Register (27 IR 2883).

Date of First Hearing: July 7, 2004.

Proposed Rule and Notice of Second Hearing: August 1, 2004, Indiana Register (27 IR 3605).

Date of Second Hearing: September 1, 2004.

326 IAC 1-4-1

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

326 IAC 1-4-1 Designations

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) The air pollution control board incorporates by reference **the following documents concerning attainment status designations:**

(1) 40 CFR 81.315*.

(2) 66 FR 53665 (October 23, 2001)*. ~~and~~

(3) 68 FR 1370 (January 10, 2003)*.

(4) **69 FR 23858 (April 30, 2004)*.**

~~concerning attainment status designations.~~

(b) For purposes of permits that are subject to 326 IAC 2-3 due to the designations in subsection (a)(4), notwithstanding 326 IAC 2-3-2(a) and 326 IAC 2-3-2(e), the requirements of 326 IAC 2-3 apply to any permit that:

(1) would otherwise be subject to 326 IAC 2-3; and

(2) is issued on or after the effective date of the incorporation of 69 FR 23858.

*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 1-4-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2379; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2218; filed Dec 30, 1992, 9:00 a.m.: 16 IR 1382; filed Apr 18, 1995, 3:00 p.m.: 18 IR 2220; filed Oct 22, 1997, 8:45 a.m.: 21 IR 932; filed Apr 17, 1998, 9:00 a.m.: 21 IR 3342; filed Apr 29, 1998, 3:15 p.m.: 21 IR 3341; filed May 21, 2002, 10:20 a.m.: 25 IR 3056; filed Nov 15, 2002, 11:17 a.m.: 26 IR 1077; filed Dec 1, 2003, 10:00 a.m.: 27 IR 1167; filed Nov 12, 2004, 12:15 p.m.: 28 IR 1182*)

LSA Document #04-148(F)

Proposed Rule Published: August 1, 2004; 27 IR 3605

Hearing Held: September 1, 2004

Approved by Attorney General: October 25, 2004

Approved by Governor: November 9, 2004

Filed with Secretary of State: November 12, 2004, 12:15 p.m.

IC 4-22-7-5(c) notice from Secretary of State regarding documents incorporated by reference: 8-Hour Ozone National Ambient Air Quality Standards, Federal Register, April 30, 2004 (69 FR 23858).