

Document: Proposed Rule, **Register Page Number:** 28 IR 1813

Source: March 1, 2005, Indiana Register, Volume 28, Number 6

Disclaimer: This document was created from the files used to produce the official CD-ROM Indiana Register.

TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule LSA Document #04-234

DIGEST

Amends 326 IAC 6.5-7-13 so rule language is consistent with permit specifications. Effective 30 days after filing with the secretary of state.

HISTORY

First Notice of Comment Period: September 1, 2004, Indiana Register (27 IR 4144).

Second Notice of Comment Period: November 1, 2004, Indiana Register (28 IR 680).

Notice of First Hearing: November 1, 2004, Indiana Register (28 IR 680).

Date of First Hearing: February 2, 2005.

Notice of Second Hearing: March 1, 2005.

Date of Second Hearing: May 4, 2005.

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, 2004, at 28 IR 680, 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

IDEM requested public comment from December 1, 2004, through January 4, 2005, on IDEM's draft rule language. No comments were received during the second comment period.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On February 2, 2005, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of amendments to 326 IAC 6.5-7-13. No comments were made at the first hearing.

326 IAC 6.5-7-13

SECTION 1. 326 IAC 6.5-7-13, PROPOSED TO BE ADDED AT 28 IR 1749, SECTION 1, 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 natural gas fired with fuel oil No. 2 as a backup	01	54P	Boiler No. 2 Coal 1 gas fired	12.90	0.110	
			63 31.5 MMBtu/hr.			
natural gas fired with fuel oil No. 2 as a backup	02	55P	Boiler No. 3 Coal 2 gas fired	12.90	0.110	
			63 MMBtu/hr.			
100% natural gas	03	56P	Boiler No. 4 3 gas fired			
			63 MMBtu/hr.			

(b) Boiler No. **† 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 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 4, 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 amendments to 326 IAC 6.5-7-13.

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 Sky Schelle, Rules 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

Indianapolis, Indiana 46204

or call (317) 233-0855 or (317) 232-6565 (TDD). 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.

Kathryn A. Watson, Chief
Air Programs Branch
Office of Air Quality