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

LSA Document #04-180(F)

### **DIGEST**

Adds 326 IAC 1-1-6 concerning credible evidence. Effective 30 days after filing with the secretary of state.

### **HISTORY**

IC 13-14-9-8 Notice and Notice of First Hearing: July 1, 2004, Indiana Register (27 IR 3351).

Date of First Hearing: September 1, 2004.

Proposed Rule and Notice of Second Hearing: October 1, 2004, Indiana Register (28 IR 248).

Date of Second Hearing: November 3, 2004.

### **326 IAC 1-1-6**

SECTION 1. 326 IAC 1-1-6 IS ADDED TO READ AS FOLLOWS:

#### **326 IAC 1-1-6 Credible evidence**

**Authority:** IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-3-12

**Affected:** IC 13-11; IC 13-17

**Sec. 6. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any emission limitation, standard, or rule in this title, nothing in this title shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with the emission limitation, standard, or rule, if the appropriate performance or compliance test or procedure had been performed.**  
*(Air Pollution Control Board; 326 IAC 1-1-6; filed Feb 14, 2005, 10:45 a.m.: 28 IR 2046)*

*LSA Document #04-180(F)*

*Proposed Rule Published: October 1, 2004; 28 IR 248*

*Hearing Held: November 3, 2004*

*Approved by Attorney General: January 19, 2005*

*Approved by Governor: February 11, 2005*

*Filed with Secretary of State: February 14, 2005, 10:45 a.m.*

*IC 4-22-7-5(c) notice from Secretary of State regarding documents incorporated by reference: None received by Publisher*