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**TITLE 326 AIR POLLUTION CONTROL
BOARD**

**CONTINUATION OF SECOND NOTICE OF
COMMENT PERIOD**

LSA Document #05-117(APCB)

**DEVELOPMENT OF NEW RULES CONCERNING NITROGEN OXIDE AND SULFUR DIOXIDE EMISSIONS FROM
FOSSIL FUEL-FIRED POWER PLANTS**

PURPOSE OF NOTICE

A Second Notice of Comment Period was published in the December 1, 2005, Indiana Register that included Summary/Response to Comments from the First Comment Period and the draft rule. The draft rule includes new article 24 that contains three new rules 326 IAC 24-1, Clean Air Interstate Rule (CAIR) Nitrogen Oxides (NO_x) Annual Trading Program, 326 IAC 24-2, Clean Air Interstate Rule (CAIR) Sulfur Dioxide (SO₂) Annual Trading Program, 326 IAC 24-3, Clean Air Interstate Rule (CAIR) Nitrogen Oxides (NO_x) Ozone Season Trading Program, and new rule 326 IAC 10-4-16 concerning nitrogen oxide and sulfur dioxide emissions from fossil fuel-fired power plants and nitrogen oxide emissions from large non-electric generating units (non-EGUs). The Indiana Department of Environmental Management (IDEM) has received requests for an extension of the comment time so that all interested parties could have additional opportunity to provide comment on the draft rule language. Therefore, IDEM is providing this extension for submission of comments on the draft rule language that was published in the Indiana Register on December 1, 2005 (29 IR 909). IDEM is not adding or deleting draft language by this notice. Comments submitted to IDEM from the original comment period deadline through February 8, 2006, will be considered to be received as part of the formal written comment period by IDEM.

HISTORY

First Notice of Comment Period: June 1, 2005, Indiana Register (28 IR 2817).

Second Notice of Comment Period: December 1, 2005, Indiana Register (29 IR 909). Comment period ended January 3, 2006.

CITATIONS AFFECTED: 326 IAC 10-4-16; 326 IAC 24-1; 326 IAC 24-2; 326 IAC 24-3.

AUTHORITY: IC 13-14-8; IC 13-17-3-1; IC 13-17-3-4.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Basic Purpose and Background

The Clean Air Interstate Rule (CAIR), signed by U.S. EPA administrator on March 10, 2005, is a U.S. EPA program to supplement existing regulations to achieve substantial reductions of sulfur dioxide (SO₂) and nitrogen oxide (NO_x) emissions from fossil fuel-fired power plants. The purpose of this notice is to provide an extension to the public comment period for the second notice published in the Indiana Register on December 1, 2005 (29 IR 909).

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:

#05-117(APCB) CAIR Rule

Susan Bem Mail Code 61-50

c/o Administrative Assistant

Rules Development Section

Office of Air Quality

Indiana Department of Environmental Management

100 North Senate Avenue

Indianapolis, Indiana 46204.

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 February 8, 2006.

Additional information regarding this action may be obtained from Susan Bem, Rules Development Section, Office of Air Quality, (317) 233-5697 or (800) 451-6027 (in Indiana).