

Document: Proposed Rule, **Register Page Number:** 29 IR 2288

Source: April 1, 2006, Indiana Register, Volume 29, Number 7

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 #06-19

DIGEST

Amends 326 IAC 1-2-33.5 to delist methyl ethyl ketone. Effective 30 days after filing with the Secretary of State.

HISTORY

IC 13-14-9-8 Notice and Notice of First Hearing: February 1, 2006, Indiana Register (29 IR 1769).

Date of First Hearing: March 1, 2006.

PUBLIC COMMENTS UNDER IC 13-14-9-4.5

Because this proposed rule is not substantively different from the draft rule published on February 1, 2006, at 29 IR 1769, 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 March 1, 2006, the Air Pollution Control Board (board) conducted the first public hearing/board meeting concerning the development of amendments to 326 IAC 1-2-33.5. No comments were made at the first hearing.

326 IAC 1-2-33.5

SECTION 1. 326 IAC 1-2-33.5, AS AMENDED AT 29 IR 795, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

326 IAC 1-2-33.5 “Hazardous air pollutant” or “HAP” defined

Authority: IC 13-14-8; IC 13-17-3-4

Affected: IC 13-17-3-4

Sec. 33.5. “Hazardous air pollutant” or “HAP” means any air pollutant listed pursuant to Section 112(b) of the Clean Air Act and not delisted from that list or redefined under 40 CFR Part 63, Subpart C, as amended at **the following:**

(1) 69 FR 69325, November 29, 2004*.

(2) 70 FR 75059, December 19, 2005*.

*This document is incorporated by reference. Copies referenced in this section 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 1-2-33.5; filed May 25, 1994, 11:00 a.m.: 17 IR 2238; filed Oct 20, 2005, 1:30 p.m.: 29 IR 795*)

Notice of Public Hearing

Under IC 4-22-2-24, IC 13-14-8-1, IC 13-14-8-2, and IC 13-14-9, notice is hereby given that on May 3, 2006 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 1-2-33.5.

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 Patrick Brady, Rule Development Section, Office of Air Quality, (317) 233-8628 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