
Final Rules

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #00-267(F)

DIGEST

Amends 326 IAC 2 concerning amendments necessary to obtain U.S. EPA approval of the prevention of significant deterioration (PSD) rules as part of the state implementation plan and federal approval of the Title V permit program. Adds 326 IAC 2-2.5 concerning pollution control projects. Amends 326 IAC 3-5-1, 326 IAC 4-2-1, 326 IAC 5-1-1, 326 IAC 6-1-1, 326 IAC 6-2-1, 326 IAC 6-5-1, 326 IAC 6-6-1, 326 IAC 7-1.1-1, 326 IAC 7-1.1-2, 326 IAC 7-3-1, 326 IAC 8-1-1, 326 IAC 9-1-2, 326 IAC 10-1-1, 326 IAC 11-1-1, 326 IAC 11-2-1, 326 IAC 11-3-1, 326 IAC 11-4-1, 326 IAC 11-5-1, 326 IAC 12-1-1, 326 IAC 14-1-3, and 326 IAC 15-1-1 to maintain consistency. Repeals 326 IAC 2-7-25. Effective 30 days after filing with the secretary of state.

HISTORY

First Notice of Comment Period: December 1, 2000, Indiana Register (24 IR 765).

Second Notice of Comment Period and Notice of First Hearing: April 1, 2001, Indiana Register (24 IR 2211).

Change of Notice of Public Hearing: June 1, 2001, Indiana Register (24 IR 2722).

Date of First Hearing: June 6, 2001.

Proposed Rule and Notice of Second Hearing: July 1, 2001, Indiana Register (24 IR 3103).

Change of Notice of Public Hearing: October 1, 2001

Date of Second Hearing: October 3, 2001.

326 IAC 2-2-1
326 IAC 2-2-2
326 IAC 2-2-3
326 IAC 2-2-4
326 IAC 2-2-5
326 IAC 2-2-6
326 IAC 2-2-7
326 IAC 2-2-9
326 IAC 2-2-12
326 IAC 2-2-14

SECTION 3. 326 IAC 2-2-1, AS AMENDED AT 24 IR 2412, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-1 Definitions

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

Affected: IC 13-15; IC 13-17

Sec. 1. (a) The definitions in this section apply throughout this rule.

(b) "Actual emissions" means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with the following:

(1) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two (2) year period which precedes the particular date and which is representative of normal source operation. The department shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(2) The department may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(3) For any emissions unit, other than an electric utility steam generating unit described in subdivision (4), which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(4) For an electric utility steam generating unit, other than a new unit or the replacement of an existing unit, actual emissions of the unit following the physical or operational change shall equal the representative actual annual emissions of the unit, provided the source owner or operator maintains and submits to the department on an annual basis for a period of five (5) years from the date the unit resumes regular operation, information demonstrating that the physical or

Final Rules

operational change did not result in an emissions increase. A longer period, not to exceed ten (10) years, may be required by the department if the department determines such a period to be more representative of normal source post-change operations.

(c) "Adverse impact on visibility" means visibility impairment that interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of the federal Class I area, as defined in section 13 of this rule. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with:

- (1) times of visitor use of the federal Class I area; and
- (2) the frequency and timing of natural conditions that reduce visibility.

(d) "Allowable emissions" means the emissions rate of a stationary source calculated using the maximum rated capacity of the source (unless a source is subject to federally enforceable permit limits which restrict the operating rate, or hours of operation, or both) and the most stringent of:

- (1) the applicable standards as set forth in 40 CFR 60* and 40 CFR 61*;
- (2) the state implementation plan emissions limitation, including those with a future compliance date; or
- (3) the emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

(e) "Baseline area" means the following:

(1) Any intrastate area (and every part thereof) designated as attainment or unclassifiable in accordance with 326 IAC 1-4 in which the major stationary source or major modification establishing the minor source baseline date would construct or would have an air quality impact equal to or greater than one (1) microgram per cubic meter ($\mu\text{g}/\text{m}^3$) (annual average) of the pollutant for which the minor source baseline date is established.

(2) Area redesignations under 326 IAC 1-4 and Section 107(d)(1) (D) or 107(d)(1)(E) of the Clean Air Act (CAA)* cannot intersect or be smaller than the area of impact of any major stationary source or major modification that:

- (A) establishes a minor source baseline date; or
- (B) is subject to 40 CFR 52.21* and this rule and would be constructed in the same state as the state proposing the redesignation.

(3) Any baseline area established originally for the total suspended particulate (TSP) increments shall remain in effect and shall apply for purposes of determining the amount of available PM_{10} increments, except that such baseline area shall not remain in effect if U.S. EPA rescinds the corresponding minor source baseline date in accordance with 40 CFR 52.21(b)(14)(iv)*.

(f) "Baseline concentration" means that ambient concentration level which exists in the baseline area at the time of the applicable minor source baseline date. The baseline concentration is determined for each pollutant for which a baseline date is established and shall include the following:

(1) The actual emissions representative of sources in existence on the applicable minor source baseline date, except as provided in subdivision (3).

(2) The allowable emissions of major stationary sources which commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.

(3) The following will not be included in the baseline concentration and will affect the applicable maximum allowable increase(s):

(A) Actual emissions from any major stationary source on which the construction commenced after the major source baseline date.

(B) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.

(g) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipework, and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(h) "Best available control technology" or "BACT" means an emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each pollutant subject to regulation under the provisions of the Clean Air Act, CAA, which would be emitted from any proposed major stationary source or major modification, which the commissioner, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Part 60* and 40 CFR Part 61*. If the commissioner determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirements for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by

Final Rules

implementation of such design, equipment, work practice, or operation and shall provide for compliance by means which achieve equivalent results.

(i) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one (1) or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "major group" (i.e., which have the same first two (2) digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office)*.

(j) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or postcombustion stage, at a new or existing facility that will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam that was not in widespread use as of November 15, 1990.

(k) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "Department of Energy-Clean Coal Technology", up to a total amount of two billion five hundred million dollars (\$2,500,000,000) for commercial demonstration of clean coal technology, or similar projects funded through appropriations for U.S. EPA. The federal contribution for a qualifying project shall be at least twenty percent (20%) of the total cost of the demonstration project.

(l) "Commence", as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits and either has:

- (1) begun, or caused to begin, a continuous program of actual on-site construction of the source to be completed within a reasonable time; or
- (2) entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(m) "Complete" means, in reference to an application for a permit, that the application contains all of the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the department from requesting or accepting any additional information.

(n) "Construction" means any physical change or change in the method of operation (including fabrication, erection,

installation, demolition, or modification of an emissions unit) which would result in a change in actual emissions.

(o) "Electric utility steam generating unit" means any steam electric generating unit that is constructed for the purpose of supplying more than one-third ($\frac{1}{3}$) of its potential electric output capacity and more than twenty-five (25) megawatts electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(p) "Emissions unit" means any part of a stationary source which emits or would have the potential to emit any pollutant regulated under the provisions of the Clean Air Act: CAA.

(q) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(r) "Fugitive emissions" means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(s) "High terrain" means any area having an elevation nine hundred (900) feet or more above the base of the stack of a source.

(t) "Indian governing body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.

(u) "Indian reservation" means any federally recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress.

(v) "Innovative control technology" means any system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or nonair quality environmental impacts.

(w) "Low terrain" means any area other than high terrain.

(x) "Major modification" means any physical change in, or change in the method of operation of, a major stationary source that would result in a significant net emissions increase of any pollutant that is being regulated under the Clean Air Act: CAA. The following shall apply:

- (1) Any net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone.

Final Rules

(2) A physical change or change in the method of operation shall not include the following:

- (A) Routine maintenance, repair, and replacement.
- (B) Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and 2(b) of the Energy Supply and Environmental Coordination Act of 1974 or by reason of a natural gas curtailment plan pursuant to the Federal Power Act.
- (C) Use of an alternative fuel by reason of an order under Section 125 of the Clean Air Act: CAA.
- (D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.
- (E) Use of an alternative fuel or raw material by a source which:
 - (i) the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21* or under this rule or 326 IAC 2-3; or
 - (ii) the source is approved to use under any permit issued under 40 CFR 52.21* or under this rule.
- (F) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21* or under this rule or 326 IAC 2-3.
- (G) Any change in ownership at a source.
- (H) The addition, replacement, or use of a pollution control project as defined in subsection (bb) and 326 IAC 2-1.1-1-13 (dd) at an existing source electric steam generating unit unless: the department determines that:
 - (i) the commissioner and U.S. EPA determine that such addition, replacement, or use is not renders the unit less environmentally beneficial; or
 - (ii) the commissioner determines that the pollution control project would result in a significant net emissions increase that will cause or contribute to a violation of any national ambient air quality standard (NAAQS), or PSD increment, or visibility limitation.

A pollution control project that is exempt under this clause shall be considered a significant source modification under 326 IAC 2-7-10.5(f)(8) or 326 IAC 2-7-10.5(f)(9).

- (I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:
 - (i) the state implementation plan; and
 - (ii) other requirements necessary to attain and maintain the national ambient air quality standards during the project and after the project is terminated.
- (J) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(K) The reactivation of a very clean coal-fired electric utility steam generating unit.

(w) (y) "Major stationary source" means the following:

(1) Any of the following stationary sources of air pollutants which are located or may proposed to be located in an attainment or unclassifiable area as designated in 326 IAC 1-4 and which emit or have the potential to emit one hundred (100) tons per year or more of any pollutant subject to regulation under the Clean Air Act: CAA:

- (A) Fossil fuel-fired steam electric plants of more than two hundred fifty million (250,000,000) British thermal units per hour heat input.
 - (B) Coal cleaning plants (with thermal driers).
 - (C) Kraft pulp mills.
 - (D) Portland cement plants.
 - (E) Primary zinc smelters.
 - (F) Iron and steel mill plants.
 - (G) Primary aluminum ore reduction plants.
 - (H) Primary copper smelters.
 - (I) Municipal incinerators capable of charging more than fifty (50) tons of refuse per day.
 - (J) Hydrofluoric, sulfuric, and nitric acid plants.
 - (K) Petroleum refineries.
 - (L) Lime plants.
 - (M) Phosphate rock processing plants.
 - (N) Coke oven batteries.
 - (O) Sulfur recovery plants.
 - (P) Carbon black plants (furnace process).
 - (Q) Primary lead smelters.
 - (R) Fuel conversion plants.
 - (S) Sintering plants.
 - (T) Secondary metal production plants.
 - (U) Chemical process plants.
 - (V) Fossil fuel boilers (or combinations thereof) totaling more than two hundred fifty million (250,000,000) British thermal units per hour heat input.
 - (W) Taconite ore processing plants.
 - (X) Glass fiber processing plants.
 - (Y) Charcoal production plants.
 - (Z) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand (300,000) barrels.
- (2) Any stationary source with the potential to emit two hundred fifty (250) tons per year or more of any air pollutant subject to regulation under the Clean Air Act: CAA.
- (3) Any of the following stationary sources with potential emissions of five (5) tons per year or more of lead or lead compounds measured as elemental lead:
- (A) Primary lead smelters.
 - (B) Secondary lead smelters.
 - (C) Primary copper smelters.
 - (D) Lead gasoline additive plants.
 - (E) Lead-acid storage battery manufacturing plants that produce two thousand (2,000) or more batteries per day.

Final Rules

(4) Any other stationary source with potential emissions of twenty-five (25) or more tons per year of lead or lead compounds measured as elemental lead.

(5) Any physical change occurring at a stationary source not qualifying under subdivisions (1) through (4) and this subdivision, if the change would by itself qualify as a major stationary source under subdivisions (1) through (4).

(6) Notwithstanding subdivisions (1) through (5), the following sources a source or modification of a source shall not be considered a major stationary source

(A) A source or modification of a source where if it would qualify under subdivisions (1) through (5) only if fugitive emissions, to the extent quantifiable, are considered in calculating potential to emit of the stationary source or modification and such source does not belong to any of the categories listed in subdivision (1) or any other stationary source category which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Clean Air Act CAA (42 U.S.C. 7411 or 42 U.S.C. 7412).

(B) A source or modification of a source which is a portable stationary source which has previously received a permit complying with 326 IAC 2-5.1-3 or 326 IAC 2-7 and section 3 of this rule if:

(i) the source proposes to relocate and emissions of the source at the new location would be temporary;

(ii) the emissions from the source would not exceed its allowable emissions;

(iii) emissions from the source would impact no area where an applicable increment is known to be violated; and

(iv) ten (10) days advance notice is given to the department prior to the relocation identifying the proposed new location and probable duration of the operation at the new location.

(7) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(x) (z) "Major source baseline date" means the following:

(1) In the case of particulate matter and sulfur dioxide, January 6, 1975.

(2) In the case of nitrogen dioxide, February 8, 1988.

(y) (aa) "Minor source baseline date" means the earliest date after the trigger date on which a major stationary source or major modification subject to the requirements of this rule or to 40 CFR 52.21* submits a complete application under the relevant regulations, including the following:

(1) The trigger date is the following:

(A) In the case of particulate matter and sulfur dioxide, August 7, 1977.

(B) In the case of nitrogen dioxide, February 8, 1988.

(2) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(A) the area in which the proposed source or modification would construct is designated as attainment or

unclassifiable under 326 IAC 1-4 for the pollutant on the date of its complete application under this rule; and

(B) in the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(3) Any minor source baseline date established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM₁₀ increments, except that U.S. EPA with the commissioner may rescind a minor source baseline date where it can be shown, to the satisfaction of U.S. EPA, the commissioner, that the emissions increase from the major stationary source, or net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM₁₀ emissions.

(z) (bb) "Necessary preconstruction approvals or permits" means those permits or approvals required under those federal air quality control laws and regulations and air quality control laws and regulations which that are part of the state implementation plan.

(aa) (cc) "Net emissions increase", with reference to a significant net emissions increase, means the tons per year amount by which the sum of the following exceeds zero (0):

(1) Any increase in actual emissions from a particular physical change or change in the method of operation at a source.

(2) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable as follows:

(A) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:

(i) the date five (5) years before construction on the particular change commences; and

(ii) the date that the increase from the particular change occurs.

(B) An increase or decrease in actual emissions is creditable only if the department has not relied on the increase or decrease in issuing a permit for the source under this rule, and the permit is in effect when the increase in actual emissions from the particular change occurs.

(C) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or nitrogen oxides which occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available. With respect to particulate matter, only PM₁₀ emissions shall be used to evaluate the net emissions increase for PM₁₀.

(D) An increase in actual emissions is creditable only to the extent that a new level of actual emissions exceeds the old level.

Final Rules

(E) A decrease in actual emissions is creditable only to the extent that:

- (i) the old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;
- (ii) it is federally enforceable at and after the time that actual construction on the particular change begins; and
- (iii) it has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(F) An increase that results from the physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty (180) days.

(bb) (dd) "Pollution control project" means, the following: (1) for an electric utility steam generating unit, purposes of this rule, any activity or project undertaken at an existing electric utility steam generating unit for purposes of reducing emissions from such unit. Such activities or projects are limited to the following:

(A) (1) The installation of conventional or innovative pollution control technology, including but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators.

(B) (2) An activity or project to accommodate switching to a fuel that is less polluting than the fuel in use prior to the activity or project, including, but not limited to:

- (i) (A) natural gas or coal reburning; or
- (ii) (B) the cofiring of natural gas and other fuels for the purpose of controlling emissions.

(C) (3) A permanent clean coal technology demonstration project conducted under Title II, Section 101(d) of the Further Continuing Appropriations Act of 1985 42 U.S.C. 5903(d)*, or subsequent appropriations, up to a total amount of two billion five hundred million dollars (\$2,500,000,000), for commercial demonstration of clean coal technology, or similar projects funded through appropriations for U.S. EPA.

(D) (4) A permanent clean coal technology demonstration project that constitutes a repowering project.

(2) For any unit other than an electric utility steam generating unit, pollution control project is defined at 526 IAC 2-1.1-1(13):

(cc) (ee) "Potential to emit" means the maximum capacity of a source or major modification to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its

design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a source.

(dd) (ff) "Reactivation of a very clean coal-fired electric utility steam generating unit" means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

- (1) has not been in operation for the two (2) year period prior to the enactment of the Clean Air Act CAA Amendments of 1990, and the emissions from such unit continue to be carried in the department's emissions inventory at the time of enactment;
- (2) was equipped prior to shut-down with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than eighty-five percent (85%) and a removal efficiency for particulates of no less than ninety-eight percent (98%);
- (3) is equipped with low-NO_x burners prior to the time of commencement of operations following reactivation; and
- (4) is otherwise in compliance with the requirements of the CAA.

(cc) (gg) "Repowering" means replacement of an existing coal-fired boiler with one (1) of the following clean coal technologies:

- (1) Atmospheric or pressurized fluidized bed combustion.
- (2) Integrated gasification combined cycle.
- (3) Magnetohydrodynamics.
- (4) Direct and indirect coal-fired turbines.
- (5) Integrated gasification fuel cells.
- (6) As determined by U.S. EPA, in consultation with the Secretary of Energy, a derivative of one (1) or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990.

Repowering shall also include any oil or gas-fired unit, or both, unit that has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy. U.S. EPA shall give expedited consideration to permit applications for any source that satisfies the requirements of this subsection and is granted an extension under Section 409 of the Clean Air Act CAA.

(ff) (hh) "Representative actual annual emissions" means the average rate, in tons per year, at which the source is projected to emit a pollutant for the two (2) year period after a physical change or change in the method of operation of a unit, (or a different consecutive two (2) year period within ten (10) years after that change, where the department determines that such period is more representative of normal source operations), considering the effect any such change will have on increasing

Final Rules

or decreasing the hourly emissions rate and on projected capacity utilization. In projecting future emissions, the department shall do the following:

(1) Consider all relevant information, including, but not limited to, the following:

- (A) Historical operational data.
- (B) The company's own representations.
- (C) Filings with Indiana or federal regulatory authorities.
- (D) Compliance plans under Title IV of the CAA.

(2) Exclude, in calculating any increase in emissions that results from the particular physical change or change in the method of operation at an electric utility steam generating unit, that portion of the unit's emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the particular change, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole.

(gg) (ii) "Secondary emissions" means emissions that would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. The term includes emissions from any off-site support facility that would not be constructed or increase its emissions, except as a result of the construction or operation of the major stationary source or major modification. For the purpose of this rule, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the source or modification which causes the secondary emissions. Secondary emissions do not include any emissions that come directly from a mobile source, such as emissions from:

- (1) the tailpipe of a motor vehicle;
- (2) a train; or
- (3) a vessel.

(hh) (j) "Significant" means the following:

(1) In reference to a net emissions increase or the potential of the source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

- (1) (A) Carbon monoxide: one hundred (100) tons per year.
- (2) (B) Nitrogen oxides: forty (40) tons per year.
- (3) (C) Sulfur dioxide: forty (40) tons per year.
- (4) (D) Particulate matter: twenty-five (25) tons per year.
- (5) (E) PM_{10} : fifteen (15) tons per year.
- (6) (F) Ozone: forty (40) tons per year of volatile organic compounds.
- (7) (G) Lead: six-tenths (0.6) ton per year.
- (8) (H) Asbestos: seven one-thousandths (0.007) ton per year.
- (9) (I) Beryllium: four ten-thousandths (0.0004) ton per year.
- (10) (J) Mercury: one-tenth (0.1) ton per year.
- (11) (K) Vinyl chloride: one (1) ton per year.

(12) (L) Fluorides: three (3) tons per year.

(13) (M) Sulfuric acid mist: seven (7) tons per year.

(14) (N) Hydrogen sulfide (H_2S): ten (10) tons per year.

(15) (O) Total reduced sulfur (including H_2S): ten (10) tons per year.

(16) (P) Reduced sulfur compounds (including H_2S): ten (10) tons per year.

(17) (Q) Municipal waste combustor organics (measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans): thirty-five ten-millionths (0.0000035) or 3.5×10^{-6} ton per year.

(18) (R) Municipal waste combustor metals (measured as particulate matter): fifteen (15) tons per year.

(19) (S) Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): forty (40) tons per year.

(20) (T) Municipal solid waste landfills emissions (measured as nonmethane organic compounds): fifty (50) tons per year.

(21) (U) Ozone-depleting substances (ODS): one hundred (100) tons per year.

(22) (V) Any pollutant subject to regulation under the CAA, other than the pollutants listed in this subsection or under Section 112(b) of the CAA*: any emission rate.

(2) Any emissions rate or any net emissions increase associated with a major stationary source or major modification that would be constructed within ten (10) kilometers of a Class I area and has an impact on such area equal to or greater than one (1) microgram per cubic meter (24-hour average).

(ii) (kk) "Stationary source" means any building, structure, facility, or installation that emits or may emit any air pollutant subject to regulation under the CAA. A stationary source does not include emissions resulting from an internal combustion engine used for transportation purposes, or from a nonroad engine or nonroad vehicle.

(j) (ll) "Temporary clean coal technology demonstration project" means a clean coal technology demonstration project that:

- (1) is operated for a period of five (5) years or less; and
- (2) complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after the project is terminated.

*Copies of the Code of Federal Regulations (CFR), the United States Code, and the Clean Air Act referenced in this section may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center North, 180 North Senate Avenue, Indianapolis, Indiana 46204-2220. *These documents are incorporated by reference. Copies may be

Final Rules

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 2-2-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2391; filed Apr 13, 1988, 3:35 p.m.: 11 IR 3022; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1102; filed Jun 14, 1989, 5:00 p.m.: 12 IR 2020; filed Nov 25, 1998, 12:13 p.m.: 22 IR 997; errata filed May 12, 1999, 11:23 a.m.: 22 IR 3105; filed Oct 23, 2000, 9:47 a.m.: 24 IR 668; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2412; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1557)

SECTION 4. 326 IAC 2-2-2, AS AMENDED AT 24 IR 2419, SECTION 2, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-2 Applicability

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

Affected: IC 13-11; IC 13-15; IC 13-17

Sec. 2. (a) The requirements of this rule shall apply to any major stationary source or major modification, as defined in section 1 of this rule, which that is being constructed or will be constructed in any attainment or unclassifiable an area as designated, in 326 IAC 1-4, as of the submittal date of a complete application in accordance with 326 IAC 2-5.1, as attainment or unclassifiable in 326 IAC 1-4.

(b) The owner or operator of a major stationary source or major modification shall not begin actual construction unless the requirements in sections 3 through 8, 10, and 14 through 16 of this rule have been met and a permit has been issued under this rule.

(c) Sources that are located in or proposed to be located in an area designated as nonattainment pursuant to 326 IAC 1-4 for a pollutant shall be exempt from the requirements of this rule for that particular pollutant.

(d) A source or modification of a source that would be a nonprofit health or nonprofit educational institution shall be exempt from the requirements of sections 3, 4, and 7 of this rule.

(e) The requirements of sections 3, 4, 5, 7, 8, 10, 14, and 15 of this rule shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the CAA that it would emit, except as otherwise provided in this rule.

(f) The requirements of sections 3, 4, 5, 7, 8, 10, 14, and 15 of this rule do not apply to a particular major stationary source or major modification if the source or modification is a portable stationary source that has previously received

a permit under 326 IAC 2-5.1-3 or 326 IAC 2-7 and the permit contains conditions from 40 CFR Part 52.21* or this rule if:

- (1) the source proposes to relocate and emissions of the source at the new location would be temporary;
- (2) the emissions from the source would not exceed its allowable emissions;
- (3) emissions from the source would impact no Class I area and no area where an applicable increment is known to be violated; and
- (4) ten (10) days advance notice is given to the department prior to the relocation identifying the proposed new location and probable duration of the operation at the new location.

*This document is 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 2-2-2; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2395; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1098; filed Nov 25, 1998, 12:13 p.m.: 22 IR 1001; errata filed May 12, 1999, 11:23 a.m.: 22 IR 3105; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2419; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1564)

SECTION 5. 326 IAC 2-2-3, AS AMENDED AT 24 IR 2419, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-3 Control technology review; requirements

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

Affected: IC 13-11; IC 13-15; IC 13-17

Sec. 3. (a) Any owner or operator of a major stationary source or major modification shall comply with the following requirements:

- (1) A major stationary source or major modification shall meet each applicable emissions limitation under the state implementation plan and each applicable emissions standard and standard of performance under 40 CFR Part 60* and 40 CFR Part 61*.
- (2) A new, major stationary source shall apply best available control technology for each pollutant subject to regulation under the provisions of the Clean Air Act CAA for which the source has the potential to emit in significant amounts as defined in section 1 of this rule.
- (3) A major modification shall apply best available control technology for each pollutant subject to regulation under the provisions of the Clean Air Act CAA for which the modification would result in a significant net emissions increase at the source. This requirement applies to each proposed emissions unit at which a net emissions increase of the pollutant would occur as a result of a physical change or change in the method of operation in the unit.

(4) For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time, which occurs no later than eighteen (18) months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable source may be required to demonstrate the adequacy of any previous determination of best available control technology for that source.

(b) The requirements for best available control technology set forth in subsection (a) shall not apply to a particular stationary source or modification that was subject to 40 CFR 52.21* as in effect on June 19, 1978; if the owner or operator of the source or modification submitted an application for a permit under this article or pursuant to this rule before August 7, 1980; and the department subsequently determined that the application submitted before that date was complete. Instead, the requirements of 40 CFR 52.21(j)* and 40 CFR 52.21(n)* as in effect on June 19, 1978; apply to any such source or modification.

*Copies of the Code of Federal Regulations (CFR) referenced in this section *These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20402 and 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management, Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana ~~46204-2220~~ 46204. (Air Pollution Control Board; 326 IAC 2-2-3, filed Mar 10, 1988, 1:20 p.m.: 11 IR 2395; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2419; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1564)

SECTION 6. 326 IAC 2-2-4, AS AMENDED AT 24 IR 2420, SECTION 4, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-4 Air quality analysis; requirements

Authority: IC 13-14-8; IC 13-17-3
Affected: IC 13-15; IC 13-17

Sec. 4. (a) Any application for a permit under the provisions of this rule shall contain an analysis of ambient air quality in the area that the major stationary source or major modification would affect for each of the following pollutants:

- (1) For a source, each pollutant regulated under the provisions of the Clean Air Act CAA that the source would have the potential to emit in a significant amount.
- (2) For a modification, each pollutant regulated under the provision of the Clean Air Act CAA for which the modification would result in a significant net emissions increase.

(b) Exemptions are as follows:

- (1) The requirements of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that

pollutant from the source, or the net emissions increase of that pollutant from the modification would:

- (A) impact no Class I area and no area where an applicable increment is known to be violated; and
- (B) be temporary.

(2) The requirements of this section as they relate to any maximum allowable increase for a Class II area shall not apply to a major modification at a source that was in existence on March 7, 1978; if the net increase in allowable emissions of each pollutant subject to regulation under the provisions of the Clean Air Act, from the modification, after the application of best available control technology, would be less than fifty (50) tons per year.

(3) (2) A source or modification shall be exempt from the requirements of this section with respect to monitoring for a particular pollutant if:

- (A) the emissions increase of the pollutant from a new source or the net emissions increase of the pollutant from a modification would cause, in any area, air quality impacts less than:

Carbon Monoxide	575 µg/m ³ , 8-hour average;
Nitrogen Dioxide	14 µg/m ³ , annual average;
Total Suspended Particulate	10 µg/m ³ , 24-hour average;
PM ₁₀	10 µg/m ³ , 24-hour average;
Sulfur Dioxide	13 µg/m ³ , 24-hour average;
Ozone	No de minimis air quality level is provided for ozone; however, any net increase of one hundred (100) tons per year or more of volatile organic compounds subject to PSD would be required to perform an ambient impact analysis including the gathering of provide ozone ambient air quality data;
Lead	0.1 µg/m ³ , 3-month average;
Mercury	0.25 µg/m ³ , 24-hour average;
Beryllium	0.001 µg/m ³ , 24-hour average;
Fluorides	0.25 µg/m ³ , 24-hour average;
Vinyl Chloride	15 µg/m ³ , 24-hour average;
Total Reduced Sulfur	10 mg/m ³ , 1-hour average;
Hydrogen Sulfide	0.2 µg/m ³ , 1-hour average;
Reduced Sulfur Compounds	10 µg/m ³ , 1-hour average; or

- (B) the concentrations of the pollutant in the area that the source or modification would affect are less than the concentrations listed in clause (A), or the pollutant is not listed in clause (A).

(c) All monitoring required by this section shall be done in accordance with the following provisions:

- (1) With respect to any pollutant for which no ambient air quality standard designated in 326 IAC 1-3 exists, the analysis shall contain such air quality monitoring data as the commissioner determines is necessary to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.

Final Rules

(2) With respect to any pollutant (other than nonmethane hydrocarbons) for which an ambient air quality standard as designated in 326 IAC 1-3 does exist, the analysis shall contain continuous air quality monitoring data gathered for the purpose of determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.

(3) In general, the continuous air quality monitoring data that is required shall have been gathered over a period of at least one (1) year preceding receipt of the application, except that, if the commissioner determines that a complete and adequate analysis can be accomplished with monitoring data gathered over a period shorter than one (1) year (but not less than four (4) months), the data that is required shall have been gathered over at least that shorter period.

(4) The owner or operator of the proposed major stationary source or major modification of volatile organic compounds who satisfies all conditions of 40 CFR Part 51, Appendix S, Section IV* may provide post-approval monitoring data for ozone in lieu of providing preconstruction data as required under this subsection.

(5) The owner or operator of a major stationary source or major modification shall, after construction of the source or modification, conduct such ambient monitoring as the commissioner determines is necessary to determine the effect of the emissions which the source or modification may have, or are having, on air quality in any area.

(6) The owner or operator of a major stationary source or major modification shall comply with the requirements of 40 CFR Part 58, Appendix B* during operation of monitoring stations for purposes of complying with this section.

(7) All air quality monitoring shall be done in accordance with state and federal monitoring procedures as set forth in the following references: May 1987 U.S. EPA, "Ambient Air Monitoring Guidelines for Prevention of Significant Deterioration" (EPA 45014-87-007)* and the May 1999, "Indiana Department of Environmental Management, Office of Air Management Quality Assurance Manual**".

*Copies of the Code of Federal Regulations (CFR) referenced *These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20402. Copies are also 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management, Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204-2220. 46204.

**These materials have been incorporated by reference and are available at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204-2220. (Air Pollution Control Board; 326 IAC 2-2-4; filed Mar 10, 1988, 1:20 p.m.; 11 IR 2396; filed Apr

13, 1988, 3:35 p.m.; 11 IR 3026; filed Jan 6, 1989, 3:30 p.m.; 12 IR 1099; filed Mar 23, 2001, 3:03 p.m.; 24 IR 2420; filed Dec 20, 2001, 4:30 p.m.; 25 IR 1565)

SECTION 7. 326 IAC 2-2-5, AS AMENDED AT 24 IR 2422, SECTION 5, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-5 Air quality impact; requirements

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

Affected: IC 13-15; IC 13-17

Sec. 5. (a) The owner or operator of the proposed major stationary source or major modification shall demonstrate that allowable emissions increases in conjunction with all other applicable emissions increases or reductions (including secondary emissions) will not cause or contribute to air pollution in violation of:

(1) any ambient air quality standard as designated in 326 IAC 1-3, in any air quality control region; or

(2) any applicable maximum allowable increase over the baseline concentration in any area.

(b) The requirements of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from the new source, or the net emissions increase of that pollutant from the modification would:

(1) impact no Class I area and no area where an applicable increment is known to be violated; and

(2) be temporary.

(c) The requirements of this section do not apply to a major stationary source or major modification with respect to total suspended particulate matter.

(c) (d) Air quality impact analysis required by this section shall be conducted in accordance with the following provisions:

(1) Any estimates of ambient air concentrations used in the demonstration processes required by this section, shall be based upon the applicable air quality models, data bases and other requirements specified in 40 CFR Part 51, Appendix W (Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Guideline on Air Quality Models)*. (2) Where an air quality impact model specified in the guidelines cited in subdivision (1) is inappropriate, a model may be modified or another model substituted, provided that all applicable guidelines are satisfied.

(3) Modifications or substitution of any model may only be done in accordance with guideline documents and with written approval from U.S. EPA and shall be subject to public comment procedures set forth in 326 IAC 2-1.1-6.

*Copies of 40 CFR 51, Appendix W referenced in this section *This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20402 and 20401

or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management, Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204-2220; 46204. (Air Pollution Control Board; 326 IAC 2-2-5; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2398; filed Jun 14, 1989, 5:00 p.m.: 12 IR 2024; filed Nov 25, 1998, 12:13 p.m.: 22 IR 1001; errata filed May 12, 1999, 11:23 a.m.: 22 IR 3105; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2422; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1566)

SECTION 8. 326 IAC 2-2-6, AS AMENDED AT 24 IR 2422, SECTION 6, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-6 Increment consumption; requirements

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

Sec. 6. (a) Any demonstration pursuant to section 5 of this rule should demonstrate that increased emissions caused by the proposed major stationary source or major modification will not exceed eighty percent (80%) of the available maximum allowable increases (MAI) over the baseline concentrations for sulfur dioxide, particulate matter and nitrogen dioxide indicated in subsection (c)(1): (b)(1). Available maximum allowable increases are determined by adjusting the MAI to include impacts from:

- (1) actual emissions from any major stationary source or major modification on which construction commenced after the major source baseline date; and
- (2) actual emissions increases and decreases at any source occurring after the minor source baseline date.

On a case-by-case basis, a source may petition the commissioner to use in excess of this eighty percent (80%). The commissioner may authorize such use provided the source adequately demonstrates the need for the same.

(b) Exemptions are as follows:

(1) The requirements of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant if the allowable emissions of that pollutant from the source or the net emissions increase of that pollutant from the modification would:

- (A) impact no area where an applicable increment is known to be violated; and
- (B) be temporary.

(2) The requirements of this section, as they relate to the maximum allowable increase over the baseline nitrogen dioxide concentration, shall not apply to a major stationary source or major modification for which a complete application was submitted on or before October 16, 1989.

(c) (b) Increment consumption shall be in accordance with the following:

(1) The following allowable increments reflect the PSD increments for a Class II area (as defined in the Clean Air

Act); CAA). Indiana has no Class I or Class III areas; however, should some areas of the state be classified as Class I or III, the PSD increments pursuant to 40 CFR Part 52.21* must be adhered to. New permits issued after January 1, 1995, shall use PM₁₀ as the indicator for particulate matter. The allowable increments are as follows:

Pollutants	Maximum Allowable Increments Allowable Increments (Micrograms per Cubic Meter, µg/m ³ Limits)
(A) Particulate Matter:	
(i) TSP:	
Annual geometric mean	19
24-hour maximum	37
(ii) (PM ₁₀):	
Annual arithmetic mean	17
24-hour maximum	30
(B) Sulfur Dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	512
(C) Nitrogen Dioxide:	
Annual arithmetic mean	25

(2) For any period other than the annual period, the applicable maximum allowable increase may be exceeded during one (1) such period per year at any one (1) location.

(3) When an applicant proposes to construct a major stationary source or major modification in an area designated as attainment or unclassified and the increments listed in subdivision (1) have been consumed, the increased emissions from the source or modification may be permitted to be offset by reducing emissions in the affected areas by an equal amount of the pollutant for which the area was designated as attainment or unclassified.

(4) The following pollutant concentrations shall be excluded when determining compliance with a maximum allowable increase:

(A) Concentrations attributable to the increase in emissions from sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under Sections 2(a) and 2(b) of the Energy Supply and Environmental Coordination Act of 1974 over the emissions from such sources before the effective date of such an order.

(B) Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan.

(C) Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources.

(D) Concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen oxides from stationary sources that are affected by state

Final Rules

implementation plan revisions approved by U.S. EPA are excluded provided however, that as follows: the following criteria is met:

(i) Such exclusion shall not exceed two (2) years in duration unless a longer time is approved by the commissioner and the U.S. EPA.

(ii) Such exclusion is not renewable.

(iii) Such exclusion shall allow no emissions increase which would impact a Class I area or an area where an applicable increment is known to be violated, or cause or contribute to a violation of an ambient air quality standard as designated in 326 IAC 1-3.

(iv) An emission limitation shall be in effect at the end of the time period specified in accordance with item (i) which will ensure that the emissions levels will not exceed those levels occurring from such source before September 23, 1981: the exclusion was granted.

(5) No exclusion of such a concentration pursuant to subdivision (4)(A) through (4)(B) shall apply more than five (5) years after either September 23, 1981, or the date the exclusion is granted pursuant to this rule, whichever is later. If both such order and plan are applicable, no such exclusion shall apply more than five (5) years after the latter of such effective dates.

*Copies of the Code of Federal Regulations (CFR) referenced in this section *This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. ~~20402 and 20401~~ or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management, Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana ~~46204-2220~~: 46204. (Air Pollution Control Board; 326 IAC 2-2-6; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2398; filed Jun 14, 1989, 5:00 p.m.: 12 IR 2025; filed Oct 3, 1995, 3:00 p.m.: 19 IR 185; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2422; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1567)

SECTION 9. 326 IAC 2-2-7, AS AMENDED AT 24 IR 2424, SECTION 7, IS AMENDED TO READ AS FOLLOWS:

326 IAC 2-2-7 Additional analysis; requirements

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

Affected: IC 13-15; IC 13-17

Sec. 7. (a) The owner or operator shall provide an analysis of the following:

(1) Impairment to visibility, soils, and vegetation that would occur as a result of the major stationary source or major modification and general commercial, residential, industrial, and other growth associated with the source or modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.

(2) The owner or operator shall provide an analysis of the air

quality impact projected for the area as a result of general commercial, residential, industrial, and other growth associated with the source or modification.

(b) The requirements of this section shall not apply to a major stationary source or major modification as defined in section 1 of this rule, with respect to a particular pollutant, if the allowable emissions of that pollutant from the source, or the net emissions increase of the pollutant from the modification would:

(A) (1) impact no Class I area and no area where an applicable increment is known to be violated; and

(B) (2) be temporary.

(Air Pollution Control Board; 326 IAC 2-2-7; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2399; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2424; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1568)