

*Copies of the Code of Federal Regulations have been *The following are incorporated by reference: and 40 CFR 51, Appendix M, Methods 201, 201A, and 202; 40 CFR 60, Appendix A, Methods 1, 1A, 2, 2A, 2C, 2D, 3, 4, 5, 5A, 5D, 5E, 8, 9, and 17. Copies are available from the Superintendent of Documents, Government Printing Office, 732 North Capitol Avenue NW, Washington, D.C. ~~20402~~ 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Management Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204.

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a.m.: 21 IR 2354; filed May 13, 1999, 12:00 p.m.: 22 IR 3047; filed Dec 14, 2000, 5:07 p.m.: 24 IR 1308; errata filed May 1, 2001, 3:24 p.m.: 24 IR 2709; filed Nov 8, 2001, 2:02 p.m.: 25 IR 716)

SECTION 11. 326 IAC 6-1-11.1 IS AMENDED TO READ AS FOLLOWS:

326 IAC 6-1-11.1 Lake County fugitive particulate matter control requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 11.1. (a) This section applies to the following:

(1) Facilities and operations at a source having the potential to emit five (5) tons per year fugitive particulate matter into the atmosphere in Lake County:

- (A) Paved roads and parking lots.
- (B) Unpaved roads and parking lots.
- (C) Material transfer.
- (D) Wind erosion from storage piles and exposed areas.
- (E) Material transportation activities.
- (F) Material processing facilities with capacity equal to or greater than ten (10) tons per hour. The mass and opacity limits for emissions in this section are not applicable to such facilities specifically listed in section 10.1 of this rule. However, fugitive emissions from such facilities are subject to this section.
- (G) Dust handling equipment.
- (H) Any other facility or operation with a potential to emit fugitive particulate matter and not included in this subsection.

(2) The following sources located in Lake County:

- ~~(A) Metz.~~
- ~~(B) Amoco Oil, Whiting Refinery.~~
- ~~(C) Beemsterboer Slag & Ballast Corporation.~~
- ~~(D) Brestube U.S.A.~~
- ~~(E) Bucko Construction.~~
- ~~(F) Caine Steel.~~
- ~~(G) Commonwealth Edison Company.~~
- ~~(H) Dietrich Industries.~~
- (E) Equilon Enterprises, LLC.**
- ~~(F) General Transportation.~~
- ~~(G) Great Lakes Industrial Center.~~
- ~~(H) Hliana Warehousing.~~
- ~~(I) Industrial Scrap.~~
- ~~(J) Inland Steel Corporation.~~
- ~~(K) Lchigh Portland Cement.~~
- ~~(L) LTV Steel Corporation.~~
- ~~(M) Marblehead Lime Company.~~
- (L) Matlack Bulk Intermodal Services.**
- ~~(N) Mid Continental Coal & Coke Company.~~
- ~~(O) NIPSCO-Mitchell.~~
- ~~(P) Ozinga Brothers.~~
- (P) Praxair, Linde SP Gas.**

- (Q) Praxair, Oxygen Plant.**
- ~~(R) Reed Minerals.~~
- (S) Safety-Kleen Corporation.**
- (T) State Line Energy, LLC.**
- ~~(U) Shell Oil.~~
- ~~(V) Union Carbide, Linde SP Gas.~~
- ~~(W) Union Carbide, Oxygen Plant.~~
- ~~(X) (U) Union Tank Car Co.~~
- ~~(Y) (V) USS-Gary Works.~~
- ~~(Z) (W) Wolf Lake Terminal: Terminals, Inc.~~
- ~~(AA) X Rail Systems.~~

(3) New sources required to be registered or permitted under 326 IAC 2-5.1, with total uncontrolled PM₁₀ fugitive particulate matter emissions equal to or greater than five (5) tons per year.

(4) The independent contractors, companies, and corporations performing byproduct processing recycling activities, waste disposal, or any other activities that may result in uncontrolled PM₁₀ emissions of five (5) tons per year or more.

(5) Any subsequent owner or operator of a source or facility covered by this subsection.

(b) The amount of uncontrolled PM₁₀ emissions emitted from a facility or source shall be determined by applying the method contained in "Compilation of Air Pollutant Emission Factors", Volume 1: Stationary Point and Area Sources, AP-42, **Fourth Fifth Edition, September 1985*, January 1995*, Supplements A through G, December 2000**.**

(c) The following definitions apply throughout this section:

- (1) "Affected facilities" means the sources of fugitive emissions listed in subsection (a).
- (2) "Batch transfer" means transfer of material onto or out of storage piles by front end loaders, trucks, or cranes.
- (3) "Capacity" means the sum of all throughputs to the first introduction point of all the processing lines on a plant property.
- (4) "Capture system" means the equipment used to capture and transport particulate matter generated by one (1) or more process equipment to a control device, including enclosures, hoods, ducts, fans, and dampers.
- (5) "Continuous transfer" means transfer of material onto or out of storage piles by conveyor.
- (6) "Control device" means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere.
- (7) "Dust handling equipment" means the equipment used to handle dust collected by control equipment, such as, but not limited to, a conveyor used to transfer dust from a control equipment hopper to a temporary storage container. A truck is an example of a temporary storage container. Both a conveyor and temporary storage container, in this case, are dust handling equipment.
- (8) "Exposed areas" means unused areas on plant property that cannot be defined as a paved or unpaved road or parking lot, storage pile, or associated area that have the potential to emit particulate emissions by wind action.

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(9) "Fugitive particulate matter" means any particulate matter emitted into the atmosphere other than through a stack.

(10) "Inplant transportation" means transportation of material on plant transportation routes, such as railroads and plant roads, in equipment such as trucks, railroad cars, front end loaders, conveyors, and skip hoists. The inplant transportation might be from one (1) process to another, from process equipment to waste disposal and reclamation sites, or from one (1) storage pile to another. This includes, for example, hauling of slag from slag pits to the slag processing facility on the plant property.

(11) "Material" means raw process material, byproduct, intermediate product, waste product, final product, and dust collected by control equipment, having proportion of loose, dry dust equal to or greater than five-tenths percent (0.5%) as measured by the ASTM C-136 method***, having potential to emit particulate emissions when disturbed by transfer, processing, and transportation activities defined in this section. Material may include the following:

- (A) Sand.
- (B) Limestone.
- (C) Coal.
- (D) Gypsum.
- (E) Slag.
- (F) Gravel.
- (G) Clay.
- (H) Cement.
- (I) Ores.
- (J) Grain.

(12) "Material processing facilities" means the equipment, or the combination of different types of equipment, used to process material for use in the plant or for commercial sale. The following sources are examples of these types of facilities:

- (A) Power generation plants.
- (B) Portland cement manufacturing plants.
- (C) Asphalt concrete manufacturing plants.
- (D) Concrete manufacturing plants.
- (E) Lime manufacturing plants.
- (F) Iron and steel manufacturing plants, which include blast furnaces and basic oxygen furnaces.
- (G) Sinter plants.
- (H) Coal and coke preparation plants.
- (I) Slag processing plants.
- (J) Brick manufacturing plants.
- (K) Grain processing elevators.
- (L) Food and feed manufacturing plants.

Equipment includes initial crusher, screen, grinder, mixer, dryer, belt conveyor, bucket elevator, bagging operation, storage bin, and truck or railroad car loading station.

(13) "Material transfer" means the transfer of material:

- (A) from process equipment onto the ground;
- (B) from the ground into hauling equipment;
- (C) from hauling equipment onto a storage pile;
- (D) from a storage pile into hauling equipment for transport; or
- (E) into an initial hopper for further processing.

Dumping of slag from blast furnaces or basic oxygen furnaces into the slag pits and subsequent transfer to the hauling vehicle and initial hopper at the slag processing facility is an example of material transfer.

(14) "Paved road" means an asphalt or concrete surfaced thoroughfare or right-of-way designed or used for vehicular traffic.

(15) "Processing line" means material processing equipment connected by a conveying system. This does not include transfer from a conveyor to a storage pile.

(16) "Silt content" means the mass of an aggregate sample smaller than seventy-five (75) microns in diameter as determined by dry sieving. Silt content may be determined by using the procedures in AP-42, Supplement, "Silt Analysis", Procedures", Appendix C-3, September 1988*, C.2.3, Fifth Edition, January 1995*, Supplements A through G, December 2000**.

(17) "Stack emissions" means the particulate matter that is released to the atmosphere from a confined opening like the exit of a control device or a chimney.

(18) "Storage pile" means any outdoor storage on a source's property of material as defined in subdivision (11).

(19) "Surface silt loading" means the mass of loose surface dust on a paved road, per length of road, as determined by dry vacuuming. Surface silt loading may be determined by using the procedures specified in the U.S. EPA guideline document U.S. EPA 600/2-79-103, "Iron and Steel Plant Open Source Fugitive Emission Evaluation", EPA 600/2-79-103, Appendix B**.

(20) "Transfer point" means a point in a conveying operation where the material is transferred to or from a belt conveyor, except where the material is being transferred to a storage pile.

(21) "Unpaved road" means a thoroughfare or right-of-way other than a paved road designed or used for vehicular traffic.

(22) "Vent" means an opening through which there is mechanically induced airflow for the purpose of exhausting air carrying particulate matter emissions from one (1) or more items of material processing equipment from a building.

(d) The following are particulate matter emission limitations:

(1) Paved roads and parking lots. The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%). A source shall implement the control measures specified by subsection (e)(3)(F) within twenty-four (24) hours after notification by the department or the U.S. EPA of violating the average instantaneous opacity limit. A violation of the instantaneous average opacity limits in this subsection is a violation of this rule. In addition, when requested by the department or the U.S. EPA, after an exceedance of the opacity limit is observed by a representative of either agency, the source shall initiate a compliance check with the surface silt loading limit. The department may require a revision of the control plan under subsection (e)(8), if the test shows an exceedance of the surface silt loading limit. The average instantaneous opacity shall be the average of twelve (12) instantaneous opacity readings, taken for four

(4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:

- (A) The first ~~will~~ shall be taken at the time of emission generation.
- (B) The second ~~will~~ shall be taken five (5) seconds later.
- (C) The third ~~will~~ shall be taken five (5) seconds later or ten (10) seconds after the first.

The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand approximately fifteen (15) feet from the plume and at approximately right angles to the plume. Each reading shall be taken approximately four (4) feet above the surface of the roadway or parking area.

(2) Unpaved roads and parking lots. The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%). The department may request a revision of the control plan pursuant to subsection (e)(8), if an observation shows an exceedance of the average instantaneous opacity limit. This revision may be in lieu of, or in addition to, pursuing an enforcement action for a violation of the limit. Average instantaneous opacity shall be determined according to the procedure described in subdivision (1). The fugitive particulate emissions from unpaved roads shall be controlled by the implementation of a work program and work practice under the control plan required in subsection (e).

(3) Material transfer limits shall be as follows:

(A) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%). The average instantaneous opacity shall consist of the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) batch loading or unloading operation. The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand approximately fifteen (15) feet from the plume and at approximately right angles to the plume.

(B) Where adequate wetting of the material for fugitive particulate emissions control is prohibitive to further processing or reuse of the material, the opacity shall not exceed ten percent (10%) three (3) minute average. This includes material transfer to the initial hopper of a material processing facility as defined in subsection (c) or material transfer for transportation within or outside the source property including, but not limited to, the following:

- (i) Transfer of slag product for use by asphalt plants:
 - (AA) from a storage pile to a front end loader; and
 - (BB) from a front end loader to a truck.
- (ii) Transfer of sinter blend for use at the sinter plant:
 - (AA) from a storage pile to a front end loader;
 - (BB) from a front end loader to a truck; and
 - (CC) from a truck to the initial processing point.
- (iii) Transfer of coal for use at a coal processing line:
 - (AA) from a storage pile to a front end loader; and
 - (BB) from a front end loader to the initial hopper of a coal processing line.

Compliance with any operation lasting less than three (3) minutes shall be determined as an average of consecutive observations recorded at fifteen (15) second intervals for the duration of the operation.

(C) Slag and kish handling activities at integrated iron and steel plants shall comply with the following particulate emissions limits:

- (i) The opacity of fugitive particulate emissions from transfer from pots and trucks into pits shall not exceed twenty percent (20%) on a six (6) minute average.
- (ii) The opacity of fugitive particulate emissions from transfer from pits into front end loaders and from transfer from front end loaders into trucks shall comply with the fugitive particulate emission limits in subdivision (9).

(4) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9***. The opacity readings shall be taken at least four (4) feet from the point of origin.

(5) Wind erosion from storage piles and exposed areas. The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average. These limitations may not apply during periods when application of fugitive particulate control measures are either ineffective or unreasonable due to sustained very high wind speeds. During such periods, the company must continue to implement all reasonable fugitive particulate control measures and maintain records documenting the application of measures and the basis for a claim that meeting the opacity limitation was not reasonable given prevailing wind conditions. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9***, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand approximately fifteen (15) feet from the plume and at approximately right angles to the plume. The opacity of fugitive particulate emissions from exposed areas shall not exceed ten percent (10%) on a six (6) minute average. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9***.

(6) Material transportation activities shall include the following:

(A) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time. Material transported by truck or rail that is enclosed and covered shall be considered in compliance with the inplant transportation requirement. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 22***, except that the observation shall be taken at approximately right angles to the prevailing wind from the leeward side of the truck or railroad car.

(B) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and

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skip hoists shall not exceed ten percent (10%). Compliance with this limitation shall be determined by the average of three (3) opacity readings taken at five (5) second intervals. The three (3) opacity readings shall be taken as follows:

(i) The first ~~will~~ shall be taken at the time of emission generation.

(ii) The second ~~will~~ shall be taken five (5) seconds later.

(iii) The third ~~will~~ shall be taken five (5) seconds later or ten (10) seconds after the first.

The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet from the plume approximately and at right angles to the plume. Each reading shall be taken approximately four (4) feet above the surface of the roadway or parking area.

(7) Material processing facilities shall include the following:

(A) The PM_{10} stack emissions from a material processing facility shall not exceed twenty-two thousandths (0.022) ~~grains grain~~ per dry standard cubic foot and ten percent (10%) opacity. Compliance with the concentration limitation shall be determined using the test methods found in section 10.1(f) of this rule. Compliance with the opacity limitation shall be determined by 40 CFR 60, Appendix A, Method 9***.

(B) The opacity of fugitive particulate emissions from a material processing facility, except crusher at which a capture system is not used, shall not exceed ten percent (10%). Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9***.

(C) The opacity of fugitive particulate emissions from a crusher at which a capture system is not used shall not exceed fifteen percent (15%). Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9***.

(D) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or a part of the material processing equipment, except from a vent in the building. Compliance with this standard shall be determined by 40 CFR 60, Appendix A, Method 22***.

(E) The PM_{10} emissions from building vents shall not exceed twenty-two thousandths (0.022) ~~grains grain~~ per dry standard cubic foot and ten percent (10%) opacity. Compliance with the concentration standard shall be determined by 40 CFR 60, Appendix A, Method 5 or 17, and with the opacity standard by 40 CFR 60, Appendix A, Method 9***.

(8) Dust handling equipment. The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%). Compliance with this standard shall be determined by 40 CFR 60, Appendix A, Method 9***.

(9) Any facility or operation not specified in this subsection shall meet a twenty percent (20%), three (3) minute opacity standard. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9***, except that the opacity standard shall be determined as an average of twelve (12) consecutive observations recorded at fifteen (15) second

intervals. Compliance of any operation lasting less than three (3) minutes shall be determined as an average of consecutive observations recorded at fifteen (15) second intervals for the duration of the operation.

(e) Control plans shall include the following:

(1) Within six (6) months of the effective date of this section, a source to which this section applies shall submit a control plan which, when fully implemented, will achieve compliance with the applicable emission limitations stated in subsection (d). Failure to submit a control plan in accordance with this section shall be considered a violation of this rule. A control plan shall also be included as part of a construction permit application pursuant to 326 IAC 2-5.1.

(2) A control plan, upon submittal to the department, shall become part of a source's operating permit or registration conditions.

(3) The following information:

(A) The name and address of the source and location, if the source is located on another source's property.

(B) The name and address, if different from that of the source, of the owner or operator responsible for the execution of the plan.

(C) Identification of the facilities or operations listed in subsection (a)(1) and those affected by section 10.1 of this rule that exist at the source.

(D) A map showing the location of all unpaved roads, paved roads, parking lots, storage piles, material processing facilities, dust handling equipment, material transfer points, and waste disposal and reclamation sites.

(E) A full description of the facilities on the map, including the following information, where applicable:

(i) The road lengths and widths, average daily traffic, surface silt loading, classification of vehicle traffic, and other data necessary to estimate PM_{10} emissions from paved and unpaved roads and parking lots.

(ii) A description of each storage pile, including the type of material in the pile, its moisture content, the silt content, the throughput, and the equipment used to load onto and load out of the storage piles.

(iii) A complete description of the material processing facilities on the plant property, including a material flow diagram of the processing lines, the rated capacity of each piece of equipment, and the existing control equipment and their efficiencies, including the process equipment served.

(iv) A complete description of the material transfer, inplant transportation, and dust handling equipment. Material transfer operations shall include, at a minimum, those operations contained in subsection (c)(13).

(v) A complete description of all other fugitive particulate matter emitting facilities not covered in this clause.

(F) The description of the proposed control measures and practices that the source will employ to achieve compliance with the emission limitations and data that prove its effectiveness.

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(G) A list of the conditions that will prevent control measures and practices from being applied and alternative control practices and measures that will achieve compliance with the emission limitations.

(H) A schedule for achieving compliance with the provisions of the control plan. The schedule shall specify the time required to award necessary contracts and the time required to begin and complete construction and installation. Final compliance shall be achieved no later than December 10, 1993.

(4) The source shall keep the following documentation to show compliance with each of its control measures and control practices:

(A) A map or diagram showing the location of all emission sources controlled, including the location, identification, length, and width of roadways.

(B) For each application of water or chemical solution to roadways, the following shall be recorded:

(i) The name and location of the roadway controlled.

(ii) Application rate.

(iii) Time of each application.

(iv) Width of each application.

(v) Identification of each method of application.

(vi) Total quantity of water or chemical used for each application.

(vii) For each application of chemical solution, the concentration and identity of the chemical.

(viii) The material data safety sheets for each chemical.

(C) For application of physical or chemical control agents not covered by clause (B), the following:

(i) The name of the agent.

(ii) Location of application.

(iii) Application rate.

(iv) Total quantity of agent used.

(v) If diluted, percent of concentration.

(vi) The material data safety sheets for each chemical.

(D) A log recording incidents when control measures were not used and a statement of explanation.

(E) Copies of all records required by this section shall be submitted to the department within twenty (20) working days of a written request by the department.

(F) The records required under this subdivision shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by department representatives during working hours.

(G) A quarterly report shall be submitted to the department stating the following:

(i) The dates any required control measures were not implemented.

(ii) A listing of those control measures.

(iii) The reasons that the control measures were not implemented.

(iv) Any corrective action taken.

This report shall be submitted to the department thirty (30) calendar days from the end of a quarter. Quarters end

March 31, June 30, September 30, and December 31.

(5) A source shall consult "Compilation of Air Pollutant Emission Factors", Volume 1: Stationary Point and Area Sources, AP-42 Fourth Fifth Edition, September 1985* January 1995*, Supplements A through G, December 2000** and Control of Open Sources of Fugitive Dust, U.S. EPA, September 1988**** to determine the following:

(A) The information needed.

(B) The effectiveness of the applicable control practices and measures.

(6) A source listed under subsection (a)(2) shall be exempt from this section if it can demonstrate to the department that its uncontrolled PM₁₀ emissions are less than five (5) tons per year. An exemption must be approved by both the department and by the U.S. EPA as a revision to the state implementation plan.

(7) The evaluation of a control plan by the department and U.S. EPA or a request for exemption from the requirement to submit a control plan shall be based on the following criteria:

(A) The completeness of the description of the affected facilities located on the plant property.

(B) The accuracy of the methods and procedures used to determine the applicability of the section.

(C) The completeness of the description of control measures and practices proposed by the source and any alternative control measures, and the accuracy of the data and calculations which document compliance with the emission limitations.

(D) The completeness of the data recording protocol for determining compliance with the control measures and practices.

(8) The department may require that a source revise its control plan if either of the following apply:

(A) A test of surface silt loading on a paved road shows that the loading is greater than one hundred (100) pounds per mile averaged over five (5) roads or five (5) road sections. The surface silt loading shall be determined using the sampling and analysis procedures in the U.S. EPA guidance document EPA 600/2-79-103; "Iron and Steel Plant Open Source Fugitive Emission Evaluation", Appendix B, EPA 600/2-79-103**.

(B) The department's evaluation under subdivision (7) determines that the requirements of the control plan have not been met.

/**/**AP-42, Supplements A through G, and the following citations to the Code of Federal Regulations (CFR) are incorporated by reference: 40 CFR 60, Appendix A, Methods 5, 9, 17, and 22. Copies may be obtained from the Government Printing Office, 732 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.**

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***ASTM methods are incorporated by reference and may be obtained from the American Society of Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428 or are available for review and copying from the Indiana Department of Environmental Management, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204.

****EPA guidance documents referred to in this rule "Control of Open Sources of Fugitive Dust", U.S. EPA, September 1988 and EPA 600/2-79-103, "Iron and Steel Plant Open Source Fugitive Emission [*sic.*, *Emission*] Evaluation, Appendix B" is incorporated by reference and may be obtained from the U.S. EPA, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711 or are available for review and copying from the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 6-1-11.1; filed May 12, 1993, 11:30 a.m.: 16 IR 2393; filed Nov 25, 1998, 12:13 p.m.: 22 IR 1067; errata filed May 12, 1999, 11:23 a.m.: 22 IR 3108; filed Nov 8, 2001, 2:02 p.m.: 25 IR 741*)