

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #93-187(F)

DIGEST

Amends 326 IAC 1-1, 326 IAC 1-2, 326 IAC 1-6, 326 IAC 2-1, and 326 IAC 2-5 to add new provisions for the Title V Permit Program. Adds 326 IAC 2-7, 326 IAC 2-8, and 326 IAC 2-9 to add provisions for a new federally enforceable permit program. Adds 326 IAC 20, 326 IAC 21, and 326 IAC 22 to incorporate by reference additional programs mandated by the Clean Air Act. Effective 30 days after filing with the secretary of state.

326 IAC 1-1-2	326 IAC 2-1-3.2
326 IAC 1-1-3	326 IAC 2-1-3.3
326 IAC 1-2-2	326 IAC 2-1-4
326 IAC 1-2-4	326 IAC 2-1-7.1
326 IAC 1-2-12	326 IAC 2-1-10
326 IAC 1-2-33.1	326 IAC 2-5-2
326 IAC 1-2-33.2	326 IAC 2-7
326 IAC 1-2-33.5	326 IAC 2-8
326 IAC 1-6-1	326 IAC 2-9
326 IAC 2-1-1	326 IAC 20
326 IAC 2-1-2	326 IAC 21
326 IAC 2-1-3	326 IAC 22

SECTION 21. 326 IAC 2-9 IS ADDED TO READ AS FOLLOWS:

Rule 9. Source Specific Operating Agreement Program

326 IAC 2-9-1 Source specific operating agreement program

Authority: IC 13-1-1-4; IC 13-7-10

Affected: IC 13-1-2; IC 13-1-12; IC 13-7-7

Sec. 1. (a) The definitions provided in IC 13-7-1, IC 13-1-12, 326 IAC 1-2, 326 IAC 2-7, and 326 IAC 2-8 apply throughout this rule.

(b) A source that meets the specific restrictions and conditions listed in section 2 of this rule may apply to the commissioner for a source specific operating agreement. The issuance by the commissioner of an operating agreement makes the conditions and restrictions of section 2 of this rule applicable requirements as defined in 326 IAC 2-7-1(6) for purposes of determining the applicability of 326 IAC 2-1, 326 IAC 2-7, and 326 IAC 2-8. Until the commissioner has issued an operating agreement for a source that would be subject to 326 IAC 2-1, 326 IAC 2-7 or 326 IAC 2-8, the source is subject to all applicable requirements of those rules.

(c) The owner or operator of a source seeking an operating agreement shall submit a request to the commissioner. The request shall include all information necessary for the commissioner to verify that the source meets the applicable restrictions and conditions specified in section 2 of this rule, including the following:

- (1) Identifying information.
- (2) Description of the nature, location, design capacity, and typical operating schedule of the source.
- (3) Description of the nature and amount of regulated pollutants emitted in the prior twelve (12) months.

(4) Description of how the source will comply with the applicable restrictions and conditions specified in section 2 of this rule.

The request shall be accompanied by a fee of five hundred dollars (\$500) and shall be signed by a responsible official who shall certify that the information contained therein is accurate, true, and complete and that the source shall not emit volatile organic compounds (VOCs) or hazardous air pollutants (HAPs) in amounts greater than allowed by the specific subsection of section 2 of this rule to which it is subject.

(d) If the commissioner determines that the source meets the applicable restrictions and conditions specified in section 2 of this rule, the commissioner shall issue the operating agreement. The operating agreement shall specify the source specific restrictions and conditions applicable to the source and shall also establish specific monitoring and reporting requirements, which shall in no event be less frequent than annually.

(e) Before a source subject to this section modifies its operations in such a way that it will no longer comply with the applicable restrictions and conditions, it shall obtain the appropriate approval from the commissioner under 326 IAC 2-1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7, and 326 IAC 2-8.

(f) Unless otherwise provided in section 2 of this rule, any source subject to this rule shall prepare and maintain monthly consumption records of all materials used that contain VOCs or HAPs, including the VOC or individual HAP content of each such material, records summarizing all VOC and individual HAP emissions on a monthly basis, and all purchase orders and invoices for any VOC or HAP containing materials.

(g) Any records required to be kept by a source in accordance with any subsection of section 2 of this rule shall be maintained at the site for at least five (5) years and shall be made available for inspection by the department upon request.

(h) Any source subject to this rule shall report to the department, in writing, any exceedance of a requirement contained in this rule or its operating agreement, within one (1) week of its occurrence. (*Air Pollution Control Board; 326 IAC 2-9-1; filed May 25, 1994, 11:00 a.m.: 17 IR 2280*)

326 IAC 2-9-2 Source specific restrictions and conditions
 Authority: IC 13-1-1-4; IC 13-7-10
 Affected: IC 13-7

Sec. 2. (a) Any industrial or commercial surface coating operation which is not subject to the requirements of 326

IAC 8-2 or graphic arts operation which is not subject to the requirements of 326 IAC 8-5-5 and which is not a modification of a major source in Lake or Porter County subject to 326 IAC 2-3-3 may elect to be subject to this section by complying with the requirements of section 1 of this rule and the following:

(1) The total amount of VOC delivered to the source less the amount of VOC that is quantified by manifest as having been shipped off the site shall not exceed two (2) tons per month.

(2) The total amount of any HAP delivered to the source less the amount of HAP that is quantified by manifest as having been shipped off the site shall not exceed two-tenths (0.2) tons [*sic., ton*] per month or five-tenths (0.5) tons [*sic., ton*] per month of any combination of HAPs.

(3) The following records of total VOC or HAP delivered to the source each month shall be kept at the source:

(A) Number of gallons of each coating used.

(B) VOC and HAP content of each coating used.

(C) Amount of dilution of VOC and HAP solvent used.

(D) Summation on a monthly basis of emissions of VOC and individual HAPs.

(E) Purchase orders and invoices for any VOC or HAP containing material used.

(F) Amount of VOC and HAP shipped off the site.

(4) The source shall provide a summation of VOC and individual HAP emissions to the department on a monthly basis and annual notice to the commissioner stating that the source is in operation and certifying that its operations are in compliance with this subsection. This annual notice shall include an inventory listing monthly VOC and HAP totals and total VOC and HAP emissions for the previous twelve (12) months.

(b) Any industrial or commercial surface coating operation or graphic arts operation may elect to be subject to this section by complying with the requirements of section 1 of this rule and the following:

(1) The total amount of VOC or HAP delivered to the source less the amount of VOC or HAP quantified by manifest as having been shipped off the site shall not exceed fifteen (15) pounds per day of VOC or seven (7) pounds per day of VOC in Lake or Porter County; or three (3) pounds per day of any single HAP or seven (7) pounds of any combination of HAPs per day.

(2) The following records of total VOC or HAP delivered to the source each month shall be kept at the source:

(A) Number of gallons of each coating used.

(B) VOC or HAP content of each coating used.

(C) Amount of dilution of VOC or HAP solvent used.

(D) Amount of VOC and HAP shipped off the site.

(3) The source shall provide annual notice to the commissioner stating that the source is in operation and certifying

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ing that its operations are in compliance with this subsection. This annual notice shall include the total amount of VOC or HAP containing material used in the previous twelve (12) months.

(A) Grain elevators shall not receive or ship more than three million (3,000,000) U.S. bushels of grain annually.

(B) Each source shall maintain records of the type and amount of grain received and shipped on an annual basis.

(C) Each source shall provide annual notice to the commissioner stating that the source is in operation and certifying that its operations are in compliance with this subsection.

(2) Grain elevators with storage capacity greater than one million (1,000,000) U.S. bushels of grain but no more than two and one-half million [*sic.*, two million five hundred thousand] (2,500,000) U.S. bushels that contain receiving, shipping, or grain storage facilities; headhouse, gallery belt, tripper belt operations; or grain cleaning or grain drying equipment shall comply with the following provisions:

(A) Grain elevators shall not receive or ship more than ten million (10,000,000) U.S. bushels of grain annually.

(B) Each source shall limit particulate matter emissions through the application of mineral oil or soybean oil to all grain after it is received at an application rate of three one-hundredths [*sic.*, three-hundredths] percent (0.03%) by weight or greater.

(C) Each source shall maintain the following records on a monthly basis:

(i) Type and amount of grain received and shipped.

(ii) Amount of mineral oil or soybean oil used and the rate of application.

(iii) Purchase orders and invoices for mineral oil or soybean oil.

(D) Each source shall provide annual notice to the commissioner stating that the source is in operation and certifying that its operations are in compliance with this subsection.

(*Air Pollution Control Board; 326 IAC 2-9-2; filed May 25, 1994, 11:00 a.m.: 17 IR 2281*)

(e) Any grain elevator subject to 326 IAC 2-7 or 326 IAC 2-8 may elect to be subject to this section by complying with the requirements of section 1 of this rule and meeting the conditions outlined under subdivisions (1) through (2) [*the following*]:

(1) Grain elevators with storage capacity less than or equal to one million (1,000,000) U.S. bushels that contain receiving facilities, headhouse, gallery belt, tripper belt operations, grain cleaning equipment, or grain drying equipment shall comply with the following provisions:

***Copies of the Code of Federal Regulations (CFR) referenced may be obtained from the Government Printing Office, Washington, D.C. 20402 or the Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue Indianapolis, Indiana 46204. (Air Pollution Control Board; 326 IAC 22-1-1; filed May 25, 1994, 11:00 a.m.: 17 IR 2283)**

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Incorporated Documents Filed with Secretary of State: 29 CFR 1910.134 (Subpart I (Personal Protective Equipment)); 29 CFR 1926.58 (Occupational Health and Safety-Asbestos); 40 CFR 50 and Appendices; 40 CFR 51.100(a); 40 CFR 51, Subpart 1; 40 CFR 51.262(a); 40 CFR 51, Appendix S, Section IV; 40 CFR 52; 40 CFR 58, Appendix B; 40 CFR 60 and Appendices; 40 CFR 61 and Appendices; 40 CFR 63 and 58 FR 57898 (coke oven); 40 CFR 68 and 59 FR 4478; 40 CFR 72 and 75—78 (58 FR 3590, January 11, 1993); 40 CFR 76 as proposed in 57 FR 55632 (November 25, 1992); 40 CFR 81.315; 40 CFR 82; 40 CFR 85, Subsection W; 40 CFR 763, Subsections F and G;

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*Public Law 101—549 (S 1630) November 15, 1990; and 42
U.S.C. 7401 et seq.*
