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**TITLE 326 AIR POLLUTION CONTROL BOARD**

LSA Document #03-68(F)

**DIGEST**

Amends 326 IAC 2-2-1, 326 IAC 2-2-6, and 326 IAC 2-2-12 concerning corrections to the prevention of significant deterioration (PSD) requirements. Effective 30 days after filing with the secretary of state.

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## Final Rules

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### HISTORY

IC 13-14-9-7 Notice and Notice of First Hearing: April 1, 2003, Indiana Register (26 IR 2477).

Change in Notice of First Hearing: June 1, 2003, Indiana Register (26 IR 3073).

Date of First Hearing: September 3, 2003.

Proposed Rule and Notice of Second Hearing: October 1, 2003, Indiana Register (27 IR 250).

Date of Second Hearing: December 3, 2003.

**326 IAC 2-2-1**

**326 IAC 2-2-6**

**326 IAC 2-2-12**

SECTION 1. 326 IAC 2-2-1 IS AMENDED TO READ AS FOLLOWS:

(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.

(11) “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.

\*These documents are 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 2-2-1; 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; filed Mar 9, 2004, 3:45 p.m.: 27 IR 2216*)

FOLLOWS:

**326 IAC 2-2-12 Permit rescission**

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

**Affected:** IC 13-15-6; IC 13-15-7; IC 13-17

Sec. 12. Any permit issued under this rule shall remain in effect unless and until it is rescinded, modified, revoked, or it expires in accordance with 326 IAC 2-1.1-9.5 or section 8 of this rule. The following apply to rescission:

(1) Any owner or operator of a major stationary source or major modification who holds a permit for the source or modification ~~which that~~ was issued under 40 CFR 52.21\* or this rule prior to ~~January 1, 2002~~, **January 19, 2002**, may request the commissioner to rescind the permit or a particular portion of the permit.

(2) The commissioner shall grant an application for rescission if the application shows that this rule would not apply to the major stationary source or major modification.

(3) If the commissioner rescinds a permit under this section, the public shall be given adequate notice of the rescission. Publication of an announcement of the rescission in the affected region within sixty (60) days of the rescission shall be considered adequate notice.

\*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 2-2-12; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2401; filed Mar 23, 2001, 3:03 p.m.: 24 IR 2425; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1569; filed Mar 9, 2004, 3:45 p.m.: 27 IR 2223*)

*LSA Document #03-68(F)*

*Proposed Rule Published: October 1, 2003; 27 IR 250*

*Hearing Held: December 3, 2003*

*Approved by Attorney General: February 19, 2004*

*Approved by Governor: March 5, 2004*

*Filed with Secretary of State: March 9, 2004, 3:45 p.m.*

*Incorporated Documents Filed with Secretary of State: None*

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SECTION 3. 326 IAC 2-2-12 IS AMENDED TO READ AS