

## Legal Notice of Public Hearing

Under 40 CFR 51.102, notice is hereby given that the Environmental Rules Board (board) will hold a public hearing at its regularly scheduled meeting on Wednesday, December 11, 2024, for the air program rules listed in this notice. The meeting will convene at 1:30 p.m. at the Indiana Government Center-South, Conference Center Room A, 10 North Senate Avenue, Indianapolis, Indiana and will be accessible virtually through Teams.\* The purpose of the hearing is to receive public comments prior to board action. All interested persons are invited and will be given a reasonable opportunity to express their views concerning the proposed action.

Board documents may be viewed and downloaded from the Indiana Department of Environmental Management's Web site as early as one week prior to the meeting at <https://www.in.gov/idem/legal/rulemaking/environmental-rules-board-packets/>.

Copies of the proposed air program rules are also available to any person upon request, may be viewed online via the Internet from local libraries, and are available for public inspection at the following locations:

Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center-North, 100 North Senate Avenue, 13th Floor, Indianapolis, Indiana 46204.

Indiana Department of Environmental Management, Northwest Office, 330 West US Highway 30, Suite F, Valparaiso, IN 46385.

Indiana Department of Environmental Management, Northern Office, Suite 450, 300 N. Dr. Martin Luther King Jr. Boulevard, South Bend, Indiana 46601.

Indiana Department of Environmental Management, Southwest Office, 114 South 7th Street, P.O. Box 128, Petersburg, Indiana 47567-0128.

Indiana Department of Environmental Management, Southeast Office, 820 West Sweet Street, Brownstown, Indiana 47220-9557.

Legislative Services Agency, Indiana Government Center-North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana 46204.

The following air program rule is noticed for hearing and action:

### **EMERGENCY AFFIRMATIVE DEFENSE PROVISIONS**

LSA #24-318

The purpose of this hearing is to receive public comment prior to adoption of amendments to rules at 326 IAC 1-6-1, 326 IAC 2-7-1, and 326 IAC 2-7-5, and the repeal of 326 IAC 2-7-16 and 326 IAC 2-8-12, concerning removal of Title V and Federally Enforceable State Operating Permit (FESOP) emergency affirmative defense provisions to be consistent with federal regulations. A copy of the most recently published version of this rule is available at: <http://www.in.gov/idem/legal/2351.htm>.

For additional information concerning this rule contact Keelyn Walsh at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis at (317) 232-8229 or (800) 451-6027 (ext. 2-8229) (in Indiana), or [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov).

\*The public may attend the board meeting in person or join by using the Teams link, meeting ID, and passcode, or telephone numbers that can be found prior to the meeting at: <https://events.in.gov/idem>.

A transcript of the hearings and all written submissions to the board at the public hearings are open to public inspection at the Indiana Department of Environmental Management and any person may obtain a copy upon payment of reproduction costs. Copies of transcripts are available upon receipt by the department at: <https://www.in.gov/idem/legal/rulemaking/>.

Billie Franklin, Chief  
Rules Development Section  
Office of Legal Counsel

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Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator  
Indiana Department of Environmental Management  
100 N. Senate Avenue  
Indianapolis, IN 46204

or call (317) 233-1785. Speech and hearing impaired callers may contact the agency via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.