

TITLE 326 AIR POLLUTION CONTROL DIVISION

Notice of Public Comment Period for Rule Readoption

LSA Document #24-809

DIGEST

Pursuant to IC 4-22-2.6-5, the Indiana Department of Environmental Management is soliciting public comment on rules proposed to be readopted.

STATUTORY AUTHORITY: IC 4-22-2.6.

OVERVIEW

Rules to be readopted without changes are as follows:

326 IAC 1	General Provisions
326 IAC 2	Permit Review Rules
326 IAC 3	Monitoring Requirements
326 IAC 4	Burning Regulations
326 IAC 5	Opacity Regulations
326 IAC 6	Particulate Rules
326 IAC 6.5	Particulate Matter Limitations Except Lake County
326 IAC 6.8	Particulate Matter Limitations for Lake County
326 IAC 7	Sulfur Dioxide Rules
326 IAC 8	Volatile Organic Compound Rules
326 IAC 9	Carbon Monoxide Emission Rules
326 IAC 10	Nitrogen Oxides Rules
326 IAC 11	Emission Limitations for Specific Types of Operations
326 IAC 12	New Source Performance Standards
326 IAC 13	Motor Vehicle Emission and Fuel Standards
326 IAC 14	Emission Standards for Hazardous Air Pollutants
326 IAC 15	Lead Rules
326 IAC 16	State Environmental Policy
326 IAC 17.1	Public Records; Confidential Information; Confidentiality Agreements
326 IAC 18	Asbestos Management
326 IAC 19	Mobile Source Rules
326 IAC 20	Hazardous Air Pollutants
326 IAC 21	Acid Deposition Control
326 IAC 22	Stratospheric Ozone Protection
326 IAC 24	Cross-State Air Pollution Rule (CSAPR) Programs
326 IAC 25	Voluntary Performance Based Leadership Programs
326 IAC 26	Regional Haze

Rules to be repealed are as follows:

326 IAC 1-4 Attainment Status Designations

SUMMARY OF FINDINGS UNDER IC 4-22-2.6-4

This rulemaking is required under IC 4-22-2.6, which provides for the expiration and re-adoption of administrative rules. All rules expire on January 1 of the fifth year after the year in which each rule takes effect unless the rule expires or is repealed on an earlier date. The rules listed to be re-adopted have an expiration date of January 1, 2025, or later. IDEM has chosen to re-adopt all articles in the Indiana Administrative Code at one time rather than re-adopt each rule separately as its expiration date approaches.

All the proposed re-adopted rules remain necessary and meet the standards set forth in IC 4-22-2-19.5 and, where applicable, IC 4-22-2-19.6. No less costly or less intrusive alternative methods of achieving the purposes of the rules have been identified. The rules avoid duplicating standards found in state or federal law, are written for ease of comprehension for the entities subject to them and have practicable enforcement. There have been no significant changes to the cost benefit, fiscal impact, or regulatory burden statements prepared for the initial adoption of the proposed re-adopted rules.

REQUEST FOR PUBLIC COMMENTS

IDEM solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.
- (3) The submission of comments on whether specific rules should be reviewed through the regular rulemaking process under IC 4-22-2-23 through IC 4-22-2-36 (as modified by IC 13-14-9, when applicable.)

Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:
LSA Document #24-809 Notice of Public Comment Period for Rule Re-adoption
Keelyn Walsh
Rules Development Section
Office of Legal Counsel
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue
Indianapolis, IN 46204-2251

(2) By electronic mail to kwalsh@idem.in.gov. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE**

NOTE: Electronic mail comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.

- (3) Attend scheduled public hearing.

COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than September 20, 2024.