



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

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June 30, 2003

Ms. Cheryl Newton
Acting Director
Air and Radiation Division
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, IL 60604

Re: Clean Air Act, Section 112(l)
Delegation Request

Dear Ms. Newton:

This letter is to request delegation of authority to Indiana to implement and enforce federal standards promulgated under section 112 of the Clean Air Act. This request is consistent with US EPA's final rule addressing delegation of authority (65 FR 55809, September 14, 2000) and final rule approving Indiana's section 112(l) Program of Delegation (62 FR 36460, July 8, 1997).

US EPA issued final rules in July 1997 and March 2000 delegating Indiana implementation and enforcement authority for section 112(l) standards promulgated through those dates, respectively.

Based on prior program submittals and approvals for Indiana's Title V air permit and section 112 delegation programs, Indiana has met the "up-front" approval requirements as specified in 40 CFR 63.91(d). The remaining criterion for approval is a demonstration that the State has adequate legal authority to implement and enforce the applicable federal standard. While incorporation of the federal requirements into the Title V air permit provides sufficient authority, Indiana also has incorporated the federal standards by reference into the state rules, providing legal authority outside of the Title V program.

This request covers those section 112 standards adopted into Indiana rules, unchanged from the federal standard, since January 1, 2000. A copy of the state rule language is enclosed. A complete list of previously delegated section 112 standards also is enclosed.

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The following standards are included in this request:

<u>NESHAP*</u>	<u>Federal Cite</u> <u>40 CFR Part 63</u>	<u>State Cite</u> <u>326 IAC</u>	<u>Effective</u> <u>Date</u>
Polyurethane Foam	III	20-22	June 25, 2000
Portland Cement	LLL	20-27	July 15, 2000
Hazardous Waste Combustion	EEE	20-28	July 21, 2001
Oil and Natural Gas Production	HH	20-30	Sept. 4, 2001
Natural Gas Transmission and Storage	HHH	20-31	Sept. 4, 2001
Publicly Owned Treatment Works	VVV	20-32	Sept. 4, 2001
Pulp and Paper, Non-combustion	S	20-33	Sept. 4, 2001
Phosphoric Acid Manufacturing	AA	20-34	Sept. 4, 2001
Phosphate Fertilizer Production	BB	20-34	Sept. 4, 2001
Tanks, Level 1	OO	20-35	Sept. 4, 2001
Containers	PP	20-36	Sept. 4, 2001
Surface Impoundments	QQ	20-37	Sept. 4, 2001
Individual Drain Systems	RR	20-38	Sept. 4, 2001
Closed Vent Systems	SS	20-39	Sept. 4, 2001
Equipment Leaks, Level 1	TT	20-40	Sept. 4, 2001
Equipment Leaks, Level 2	UU	20-41	Sept. 4, 2001
Oil-Water Separators	VV	20-42	Sept. 4, 2001
Storage Vessels, Level 2	WW	20-43	Sept. 4, 2001
Generic MACT	YY	20-44	Sept. 4, 2001
Pesticide Active Ingredient Production	MMM	20-45	Sept. 4, 2001
Mineral Wool Production	DDD	20-46	Sept. 4, 2001
Wool Fiberglass Manufacturing	NNN	20-47	Sept. 4, 2001

In amendments to the section 112(l) program, US EPA clarified that certain authorities granted to the Administrator may be delegated to the states (65 FR 55809, September 14, 2000). These authorities, identified as Category I authorities, are listed in the final federal rule. Indiana requests delegation of these authorities, as applicable to current and future delegated section 112 standards and programs, to provide clarity for affected sources.

If you should need any additional information, please feel free to contact me at 317-232-8222, or Kathy Watson of my staff, at 317-233-5694.

Sincerely,



Janet G. McCabe
Assistant Commissioner
Office of Air Management

Enclosures
JGM/mpb