§ 52.776 Control strategy: Particulate matter.

(a) The requirements of subpart G of this chapter are not met since the plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region.

(b) APC 4–R of Indiana’s “Air Pollution Control Regulations” (emission limitation for particulate matter from fuel combustion sources), which is part of the control strategy for the secondary standards for particulate matter, is disapproved for the Metropolitan Indianapolis Intrastate Region since it does not provide the degree of control needed to attain and maintain the secondary standards for particulate matter. APC 4–R is approved for attainment and maintenance of the primary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region.

(c) APC–3 of Indiana’s Air Pollution Control Regulations (visible emission limitation) is disapproved insofar as the phrase “for more than a cumulative total of 15 minutes in a 24-hour period” will interfere with attainment and maintenance of particulate standards.

(d) [Reserved]

(e) Part D—Conditional Approval—The complete Indiana plan for Clark, Dearborn, Dubois, Marion (except for coke batteries), St. Joseph, Vanderburgh, and Vigo Counties is approved provided that the following condition is satisfied:

(1) The Part D Plan must contain Industrial Fugitive Dust Regulations. The State must submit these by July 31, 1982.

(f) 325 IAC 11–3–2(f), (as amended on August 27, 1981) is not approved as it applies to Lake and Marion Counties, insofar as it does not meet the requirements of section 172(b)(3) of the Clean Air Act.

(g) 325 IAC 11–3–2(g) and 11–3–2(h) (as amended on August 27, 1981) are disapproved insofar as they do not meet the requirements of section 110(a)(2)(D) of the Clean Air Act.

(h) Equivalent Visible Emission Limits (EVEL). (1) A 20% 2-hour opacity
limit for the underfire stack at Bethlehem Steel Corporation’s Coke Battery No. 2 in Porter County is approved as an EVEL to determine compliance with the 325 IAC 6–2 SIP limit of 0.33 lbs/MMBTU. This EVEL is approved for as long as the SIP mass emission limit for this source remains the same as determined by 325 IAC 6–2 (October 6, 1980, submittal). See §52.770(c)(6), (35), and (42).

(2) Revised opacity limits for the boilers at Olin Corporation in Warren County are approved at §52.770(c)(51) as an EVEL to determine compliance with the 325 IAC 6–2 SIP limit of 0.80 lbs/MMBTU. This EVEL is approved for as long as the SIP mass emission limit for this source remains the same as determined by 325 IAC 6–2 (October 6, 1980 submittal). See §52.770(c)(6) and (35).

(i) 325 IAC 6–2.1 is approved with the State’s March 27, 1985, commitment that any “bubble” approved by the State under 325 IAC 6–2.1–2(b) and 3(b) will be submitted as site specific revisions to the SIP. Until and until these emission point specific limits are approved as a portion of the SIP, the SIP limit for each individual emission point will remain the general limit calculated by means of the formulae in 325 IAC 6–2.1–2(a) and 3(a), even though a revised emission point specific limit has been adopted by Indiana under 325 IAC 6–2.1–2(b) and 3(b). See §52.770(c)(50).

(j) [Reserved]

(k) On January 18, 1984, Indiana submitted a visible emission limit on coke oven battery doors and a limit on total dissolved solids content of coke quench makeup water for Battery Number One at Citizens Gas and Coke Utility in Marion County. These limits are disapproved because they are impermissible relaxations of requirements for each new major stationary sources, as provided at §52.21(j)(2) and section 173 of the Clean Air Act. See §52.770(c)(60).

(l) The revised Porter County TSP plan, as submitted by Indiana on October 15, 1984, is disapproved, because the State did not demonstrate that it assures the attainment and maintenance of the primary TSP NAAQS in Porter County, Indiana. See §52.770(c)(61).

(m) The Indiana Part D TSP plan is disapproved insofar as it does not contain RACT level opacity limits for certain process fugitive sources in TSP nonattainment areas and, therefore, does not meet the requirements of section 172 of the Clean Air Act.

(n) Approval—On June 23, 1988, and July 17, 1989, the State of Indiana submitted committal SIPs for particulate matter with an aerodynamic diameter equal to or less than 10 micrometers (PM$_{10}$) for the Group II areas within Marion and Vigo Counties and all of Porter County, respectively. The committal SIPs meet all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM$_{10}$ at 52 FR 24681.

(o) Approval—On November 16, 1988 and September 10, 1992, Indiana submitted the following list of control measures for particulate matter (PM) already in its State Implementation Plan as a Group III Plan: 326 IAC 1–3–2, its air monitoring network, its list of possible additional sites for PM, its Prevention of Significant Deterioration rules and the following control measures which are part of 325 IAC: 2, Permit Review Rules; 5–1, Opacity Limitations; 6–1–1 to 6–1–6, Nonattainment Area Limitations; 6–1–8, Dearborn County; 6–1–9, Dubois County; 6–1–12, Marion County; 6–1–13, Vigo County; 6–1–14, Wayne County; 6–1–15, Howard County; 6–1–16, Vanderburgh County; 6–1–17, Clark County; 6–1–18, St. Joseph County; 6–2, Particulate Emissions Limitations for Sources of Indirect Heating; 6–3, Process Operations; 6–4, Fugitive Dust Emissions; 11–1, Existing Foundries; 11–4, Fiberglass Insulation Manufacturing; 11–5, Fluoride Emission Limitations for Existing Primary Aluminum Plants.

(p) Approval—On January 13, 1993, the State of Indiana submitted a particulate matter State Implementation Plan revision for the Vermillion County nonattainment area. Additional information was submitted on February 22, 1993, and April 8, 1993. These materials demonstrate that the plan will
provide for attainment of the National ambient air quality standards for particulate matter by December 31, 1994, in accordance with section 189(a)(1)(B) of the Clean Air Act.

(q) Approval—On April 8, 1993, and supplemented on June 17, 1997, the State of Indiana submitted a maintenance plan and a request that sections 15, 16, 21, 22, 27, 28, 33 and 34 of Clinton Township in Vermillion County be redesignated to attainment of the National Ambient Air Quality Standard for particulate matter. The redesignation request and maintenance plan satisfy all applicable requirements of the Clean Air Act.

(r) Approval—EPA is approving the PM$_{10}$ maintenance plan for Lake County that Indiana submitted on September 25, 2002.

(s) **Determination of Attainment.** EPA has determined, as of November 27, 2009, that the Chicago-Gary-Lake County, IL-IN PM$_{2.5}$ nonattainment area, which includes Lake and Porter counties in IN, and the Evansville nonattainment area have attained the 1997 PM$_{2.5}$ NAAQS. These determinations, in accordance with 40 CFR 51.1004(c), suspend the requirements for these areas to submit an attainment demonstration, associated reasonably available control measures, reasonable further progress, contingency measures, and other plan elements related to attainment of the standard for as long as the area(s) continue to meet the 1997 PM$_{2.5}$ NAAQS.

(t) **Determination of Attainment.** EPA has determined, as of March 9, 2011, that the Louisville, IN-KY PM$_{2.5}$ nonattainment area has attained the 1997 PM$_{2.5}$ NAAQS. These determinations, in accordance with 40 CFR 51.1004(c), suspend the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, reasonable further progress, contingency measures, and other plan elements related to attainment of the standards for as long as the area continues to meet the 1997 PM$_{2.5}$ NAAQS.

(u) **Disapproval.** EPA is disapproving the portions of Indiana’s Infrastructure SIP for the 2006 24-hour PM$_{2.5}$ NAAQS addressing interstate transport, specifically with respect to section 110(a)(2)(D)(I).

(v) **Approval—**The 1997 annual PM$_{2.5}$ maintenance plans for the following areas have been approved:

1. The Evansville area (Dubois, Vanderburgh, and Warrick Counties, and portions of Gibson, Pike, and Spencer Counties), as submitted on April 8, 2011. The maintenance plan establishes 2015 motor vehicle emission budgets for the Evansville area of 2628.35 tons per year for NO$_X$ and 57.05 tons per year for PM$_{2.5}$, and 2022 motor vehicle emission budgets of 1869.84 tons per year for NO$_X$ and 53.83 tons per year for PM$_{2.5}$.

2. The Indianapolis area (Hamilton, Hendricks, Johnson, Marion and Morgan Counties), as submitted on October 20, 2009, and supplemented on May 31, 2011, January 17, 2013, and March 18, 2013. The maintenance plan establishes 2015 motor vehicle emissions budgets for the Indianapolis area of 853.76 tpy for primary PM$_{2.5}$ and 25,314.49 tpy for NO$_X$ and 2025 motor vehicle emissions budgets of 460.18 tpy for primary PM$_{2.5}$ and 13,368.60 tpy for NO$_X$.

3. The Indiana portion of the Cincinnati-Hamilton nonattainment area (Lawrenceburg Township in Dearborn County), as submitted on December 9, 2010. The maintenance plan establishes 2015 motor vehicle emissions budgets for the Ohio and Indiana portions of the Cincinnati-Hamilton area of 1,678.60 tpy for primary PM$_{2.5}$ and 35,723.83 tpy for NO$_X$, and 2021 motor vehicle emissions budgets of 1,241.19 tpy for primary PM$_{2.5}$ and 21,747.71 tpy for NO$_X$.

4. Approval—On February 1, 2013, Indiana submitted a request to revise the motor vehicle emission budgets (budgets) in the 1997 annual PM$_{2.5}$ maintenance plan for the Lake and Porter County, Indiana maintenance area. The budgets are being revised with budgets developed with the MOVES2010a model. The 2015 motor vehicle emissions budgets for Lake and Porter County, Indiana are 347.30 tpy PM$_{2.5}$ and 10,486.08 tpy NO$_X$. The 2025 motor vehicle emissions budgets for the Lake and Porter County area are 188.73 tpy PM$_{2.5}$ and 5,472.34 tpy for NO$_X$. 

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(5) Approval—On July 2, 2013 Indiana submitted a request to revise the approved MOBILE6.2 motor vehicle emission budgets (budgets) in the 1997 annual fine particulate matter maintenance plan for the Evansville maintenance area. The budgets are being revised with budgets developed with the MOVES2010a model. The 2015 motor vehicle emissions budgets are 199.93 tpy PM$_{2.5}$ and 5,642.95 tpy NO$_X$. The 2022 motor vehicle emissions budgets are 100.45 tpy PM$_{2.5}$ and 3,173 tpy NO$_X$.

(w) Approval—The 1997 annual PM$_{2.5}$ comprehensive emissions inventories for the following areas have been approved:

(1) Indiana’s 2005 NO$_X$, directly emitted PM$_{2.5}$, and SO$_2$ emissions inventory satisfies the emission inventory requirements of section 172(c)(3) for the Evansville area.

(2) Indiana’s 2006 NO$_X$, primary PM$_{2.5}$, and SO$_2$ emissions inventories and 2007/2008 VOC and ammonia emission inventories, as submitted on October 20, 2009 and supplemented on May 31, 2011 and March 18, 2013, satisfy the emission inventory requirements of section 172(c)(3) of the Clean Air Act for the Indianapolis area.

(3) Indiana’s 2005 NO$_X$, directly emitted PM$_{2.5}$, and SO$_2$ emissions inventory satisfies the emission inventory requirements of section 172(c)(3) of the Clean Air Act for the Cincinnati-Hamilton area.

(4) Indiana’s 2005 NO$_X$, primary PM$_{2.5}$, and SO$_2$ emissions inventory satisfies the emission inventory requirements of section 172(c)(3) of the Clean Air Act for Lake and Porter Counties.

(x) Determination of Attainment. EPA has determined, as of September 29, 2011, that based upon 2007–2009 air quality data, the Cincinnati-Hamilton, Ohio, Kentucky, and Indiana, non-attainment Area has attained the 1997 annual PM$_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this Area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this Area continues to meet the 1997 annual PM$_{2.5}$ NAAQS.

[37 FR 15084, July 27, 1972]

EDITORIAL NOTE: For Federal Register citations affecting §52.776, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 52.777 Control strategy: photochemical oxidants (hydrocarbons).

(a) The requirements of subpart G of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the Metropolitan Indianapolis Intrastate Region by May 31, 1975.

(b) The requirements of subpart G are not met by Revised APC–15 (November 8, 1974 submission) because it does not provide for attainment and maintenance of the photochemical oxidant (hydrocarbon) standards throughout Indiana.

(c) Part D—Conditional approval—The 1979 Indiana plan for Clark, Floyd, Elkhart, Lake, Marion, Porter, and St. Joseph Counties is approved provided the following conditions are satisfied:

(1) The plan for stationary source volatile organic compound control must contain the following:

(i)–(iv) [Reserved]

(v) For regulation 325 IAC 8–5, Section 6, Perchloroethylene Dry Cleaning, the State must conduct a study to demonstrate that the 1,500 gallons exemption meets RACT requirements and submit the results to EPA within 6 months of the effective date of final rulemaking on 325 IAC 8 for VOC from Group II CTG source categories. If the demonstrated emissions resulting from the State’s exemption are not essentially equivalent to those resulting from the RACT requirements, then the State must submit to EPA by July 1, 1983, a rule which requires control of emissions from dry cleaning sources using less than 1,500 gallons of perchloroethylene per year.

(2) The stationary source volatile organic control measures submitted by the State on October 23, 1990, and August 19, 1991, are approved as described in 40 CFR 52.770(o)(37) with the exception of 326 IAC 8–5–4 Pneumatic Rubber