§ 52.790 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the State of Indiana and for which requirements are set forth under the TR SO\textsubscript{2} Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Indiana's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under §52.39 except to the extent the Administrator's approval is partial or conditional.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of Indiana's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO\textsubscript{2} Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO\textsubscript{2} Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48364, Aug. 8, 2011]

§ 52.791 Visibility protection.

(a) Regional Haze. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Indiana on January 14, 2011, and supplemented on March 10, 2011, are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of §52.21(a)(2) and (b) through (bb) are hereby incorporated and made a part of the applicable state plan for the State of Indiana.

(c) All applications and other information required pursuant to §52.21 of this chapter from sources located in the State of Indiana shall be submitted to the state agency, Indiana Department of Environmental Management, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204, rather than to EPA's Region 5 office.


§ 52.794 Source surveillance.

(a) The requirements of 51.212 of this chapter are not met by the phrase “for more than a cumulative total of 15 minutes in a 24-hour period” contained in section 1 of APC–3 of the Indiana Air Pollution Control Regulations.

(b) [Reserved]
oven doors in Lake and Marion Counties (325 IAC 11–3–(f)–§ 52.770(c)(42)). Applicability of this regulation to these sources is being disapproved because 325 IAC 5–1 does not meet the enforceability requirements of §51.22 as it applies to these sources. Opacity limits in 325 IAC 6–1–10.2 and certain opacity limits in 325 IAC 11–3 supersede those in 325 IAC 5–1, and USEPA has previously disapproved these superseding regulations (§52.776 (j), (g), and (f), respectively).


§ 52.795 Control strategy: Sulfur dioxide.

(a) Revised APC–13 (December 5, 1974 submission) of Indiana’s Air Pollution Control regulations (sulfur dioxide emission limitation) is disapproved insofar as the provisions identified below will interfere with the attainment and maintenance of the suffix dioxide ambient air quality standards:

1. The phrase “equivalent full load” in section 1(b)(2).

2. The formula “E_p=17.0 Q_m^{0.67}” where E_p=E_m×Q_m" in section 2(a).

3. The phrase “Direct fired process operations” in sections 2(a), 3(c), 4(b), and 4(c).

4. The modification of Q_m for non-Indiana coal as expressed in Section 2(a).

(b) The requirements of §52.281 are not met by Warrick and Culley electrical generating stations enforcement orders which would revise the sulfur dioxide emission limitations for these two stations.

(c) The requirements of §51.110(e) are not met by Wayne, Dearborn, Jefferson, Porter, and Warrick Counties.

(d)–(e) [Reserved]

(f) Approval—On March 14, 1996, the State of Indiana submitted a maintenance plan for LaPorte, Vigo, and Wayne Counties and requested redesignation to attainment for the National Ambient Air Quality Standard for sulfur dioxide for each county in its entirety. The redesignation requests and maintenance plans satisfy all applicable requirements of the Clean Air Act.

(g) Approval—On June 17, 1996, the State of Indiana submitted a maintenance plan for LaPorte, Vigo, and Wayne Counties and requested redesignation to attainment for the National Ambient Air Quality Standard for sulfur dioxide for each county in its entirety. The redesignation requests and maintenance plans satisfy all applicable requirements of the Clean Air Act.

(h) Approval—On June 21, 2005, and as supplemented on August 11, 2005, the State of Indiana submitted a request to redesignate the Lake County sulfur dioxide (SO_2) nonattainment area to attainment of the NAAQS. In its submittal, the State also requested that EPA approve the maintenance plan for the area into the Indiana SO_2 SIP. The redesignation request and maintenance plan satisfy all applicable requirements of the Clean Air Act.

(i) Approval—On March 28, 2013 the State of Indiana submitted a maintenance plan update for the Lake County, Indiana SO_2 maintenance area. This plan update demonstrates that Lake County will maintain attainment of the 1971 SO_2 NAAQS through 2025. This maintenance plan update satisfies section 175A of the Act.


§ 52.796 Industrial continuous emission monitoring.

(a) APC-8, Appendix I 1.2.3, 3.3, and 6.0 are disapproved because they do not meet the requirements of 40 CFR 51.214.

(b)(1) The requirements of 40 CFR 51, Appendix P 3.3 are hereby incorporated and made a part of the applicable implementation plan for the State of Indiana.

(2) APC-8 does not apply to any source scheduled for retirement by October 6, 1980, or within five years after the promulgation of continuous emission monitoring requirements for that source category in 40 CFR part 51, Appendix P 1.1, provided that adequate evidence and guarantees are provided that clearly show that the source will