

source will prevent the attainment or maintenance of a national standard is inadequate (§51.230(d) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(3) Gary: (i) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(4) Hammond: (i) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(5) Indianapolis: (i) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(6) Michigan City: (i) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(7) Wayne County: (i) Authority to require recordkeeping and to make inspections and conduct tests of air pollution sources is inadequate (§51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§51.230(d) of this chapter).

(8) Lake County: (i) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(ii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§51.230(d) of this chapter).

(9) St. Joseph County: (i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§51.230(d) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(10) Vigo County: (i) Authority to require recordkeeping is inadequate (§51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

(iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§51.230(d) of this chapter).

(11) Anderson County: (i) Authority to require installation of monitoring devices is inadequate (§51.230(f) of this chapter).

[37 FR 10863, May 31, 1972, as amended at 40 FR 55329, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

**§ 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

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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 also be subject to the State's general "bubble" regulation, 325 IAC 2-4. The State additionally committed that until such time as 325 IAC 2-4 is approved as a part of the SIP, all such limits approved under the bubbling provisions of 325 IAC 6-2.1-2(b) and 3(b) will be submitted as site specific revisions to the SIP. Unless 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<sub>10</sub>) 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<sub>10</sub> 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<sub>10</sub> 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<sub>2.5</sub> nonattainment area, which includes Lake and Porter counties in IN, and the Evansville nonattainment area have attained the 1997 PM<sub>2.5</sub> 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<sub>2.5</sub> NAAQS.

(t) *Determination of Attainment.* EPA has determined, as of March 9, 2011, that the Louisville, IN-KY PM<sub>2.5</sub> nonattainment area has attained the 1997 PM<sub>2.5</sub> 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<sub>2.5</sub> 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](http://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: