(h) On March 7, 1994, Indiana requested a revision to the State Implementation Plan (SIP) for New Source Review (NSR) to satisfy the requirements of the Clean Air Act Amendments of 1990. The Indiana 326 IAC regulations do not include a definition of “federally enforceable”. On July 13, 1994, Pamela Carter, Attorney General of the State of Indiana, sent a letter to USEPA clarifying Indiana’s interpretation of the definition of federally enforceable. The letter states that federally enforceable, e.g. as used in 326 IAC 2–3–1, should be interpreted in accordance with the federal definition at 40 CFR 51.165(a)(1)(xiv). The USEPA took the opportunity of rulemaking on the State’s submittal to recodify the permitting SIP to conform to Title 326 the Indiana Administrative Code.


§ 52.781 Rules and regulations.
(a) [Reserved]
(b) A part of the second sentence in section 3, APC–17, which states “Where there is a violation or potential violation of ambient air quality standards, existing emission sources or any existing air pollution control equipment shall comply with the—
(c)–(d) [Reserved]
(e) Section 2(d) of APC–20, Fugitive Dust Emissions, is disapproved because it is unenforceable within the terms of the regulation.
(f) Subsections 3(b)(3) and 3(b)(5) of APC–2 (May 18, 1977) are disapproved because they are unenforceable within the terms of the regulation.
(g) Disapproval. EPA is disapproving 326 IAC 25–2–1, 326 IAC 25–2–3 and 326 IAC 25–2–4 as revisions to the Indiana SIP.


§ 52.782 Request for 18-month extension.
(a) The requirements of §51.341 of this chapter are not met since the request for an 18-month extension for submitt-ting that portion of the plan that implements the secondary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region does not show that attainment of the secondary standards will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology.


§ 52.783 [Reserved]

§ 52.784 Transportation and land use controls.
(a) To complete the requirements of subpart L and subpart G of this chapter, the Governor of Indiana must submit to the Administrator:
(1) No later than April 15, 1973, transportation and/or land use control strategies and a demonstration that said strategies, along with Indiana’s presently adopted stationary source emission limitations for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Indianapolis Intrastate Region by May 31, 1975. By such date (April 15, 1973), the State also must submit a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation and/or land use control strategies by May 31, 1975.
(2) No later than July 30, 1973, the legislative authority that is needed for carrying out such strategies.
(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement such strategies.


§ 52.785 Control strategy: Carbon monoxide.
(a) The requirements of subpart G of this chapter are not met because the plan does not provide for attainment