

APPENDIX J

Public Participation Process Documents

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LEGAL NOTICE OF PUBLIC HEARING

Redesignation Petition and Maintenance Plan In Association with the Annual Fine Particle (PM_{2.5}) Standard

Lawrenceburg Township, Dearborn County, Indiana

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on January 5, 2011. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the Annual Fine Particle (PM_{2.5}) Standard, for Lawrenceburg Township, Dearborn County, Indiana. The meeting will convene at 5:30 p.m. (local time) at the Lawrenceburg Public Library, Ewbank Meeting Room 1 and 2, 150 Mary Street, Lawrenceburg, Indiana 47025. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

Lawrenceburg Township, Dearborn County, Indiana is part of the Cincinnati-Hamilton OH-KY-IN Fine Particle Nonattainment Area. This area was designated as nonattainment for the annual fine particle standard and subject to the requirements of Section 172 of the Clean Air Act (CAA). One of the compliance requirements mandated by Section 172(c) of the CAA, is the development of a plan demonstrating that the area will continue to meet the annual standard for fine particles. This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (U.S. EPA) guidance.

Copies of the draft documents will be available on or before December 5, 2010 to any person upon request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate, Room N1003, Indianapolis, Indiana.
- Lawrenceburg Public Library, 150 Mary Street, Lawrenceburg, Indiana.
- Lawrenceburg City Building, 230 Walnut Street, Lawrenceburg, Indiana.

The draft documents will also be available on the following Web page:

<http://www.in.gov/idem/4658.htm>

Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

IDEM will also accept written comments through January 7, 2010. Mailed comments should be addressed to:

**Lawrenceburg Township, Dearborn County, Indiana Fine Particle
(PM_{2.5}) Redesignation Petition and Maintenance Plan**

Scott Deloney, Chief
Programs Branch
Indiana Department of Environmental Management
Office of Air Quality MC 61-50
100 North Senate Avenue
Indianapolis, IN 46206-2251

A transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

For additional information contact Ms. Sarah Raymond, at the Indiana Department of Environmental Management, Air Programs Branch, Office of Air Quality, Room 1001, Indiana Government Center North, 100 North Senate Avenue, Indianapolis or call (317) 232-8449 or (800) 451-6027 ext. 2-8449 (in Indiana).

Individuals requiring reasonable accommodations for participation in this hearing should contact the IDEM Americans with Disabilities Act (ADA) coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management – Mail Code 50-10
100 North Senate Avenue
Indianapolis, IN 46204-2251

Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours notification.

A 1/12/10

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JAN 12 2010

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

State of Indiana
Department of Environmental Management
(Governmental Unit) Office of Air Quality
Dearborn County Register

Dearborn County, Indiana

P.O. Box 4128, Lawrenceburg, IN 47025

PUBLISHER'S CLAIM

Fed. I.D. #35-1869520
Acct. #15001

LINE COUNT

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108

COMPUTATION OF CHARGES

108 lines, 1 column wide equals 108 equivalent lines at cents per line

Additional charges for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 63.59

\$ 63.59

DATA FOR COMPUTING COST

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Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being as follows:

November 18, 2010

Additionally, the statement checked below is true and correct:

JAN 10 11 AM 9:20

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Tom Brooker

Tom Brooker
Publisher

Date Nov. 18, 2010

Title

ATTACH COPY OF ADVERTISEMENT HERE

Claim No. _____ Warrant No. _____

IN FAVOR OF
Acct. #15002, Journal-Press
P.O. Box 59, Aurora, Indiana 47001

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. _____

ALLOWED _____

IN THE SUM OF \$ _____

See table of legal rates in the applicable State Board of Accounts Bulletin

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

correct

That it is apparently incorrect

Publisher's Affidavit

State of Indiana)
) ss:
Dearborn County)

Personally appeared before me, a notary public in and for said county and state, the undersigned, Joseph M. Awad who, being duly sworn, says that he is Publisher of the Journal-Press newspaper of general circulation printed in the city of Delphos, Ohio and published in the English language in the city of Aurora in the state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for _____ times, the dates of publication being as follows:

Subscribed and sworn to before me this 18 day of Nov., 2010.

Yvonne D. Waters

Yvonne D. Waters, Notary Public
My commission expires 5-30-13

Number of Insertions
1
2
3
4

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0.88
1.1755
1.4689

7

DEARBORN COUNTY REGISTER, LAWRENCEBURG, IN

LEGAL NOTICE OF PUBLIC HEARING

**Redesignation Petition and Maintenance Plan
In Association with the Annual Fine Particle (PM2.5)
Standard**

Lawrenceburg Township, Dearborn County, Indiana Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on January 5, 2011. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the Annual Fine Particle (PM2.5) Standard, for Lawrenceburg Township, Dearborn County, Indiana. The meeting will convene at 5:30 p.m. (local time) at the Lawrenceburg Public Library, Ewbank Meeting Room 1 and 2, 150 Mary Street, Lawrenceburg, Indiana 47025. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

Lawrenceburg Township, Dearborn County, Indiana is part of the Cincinnati-Hamilton OH-KY-IN Fine Particle Nonattainment Area. This area was designated as nonattainment for the annual fine particle standard and subject to the requirements of Section 172 of the Clean Air Act (CAA). One of the compliance requirements mandated by Section 172(c) of the CAA, is the development of a plan demonstrating that the area will continue to meet the annual standard for fine particles. This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (U.S. EPA) guidance.

Copies of the draft documents will be available on or before December 5, 2010 to any person upon request and at the following locations:

Indiana Department of Environmental Management,
Office of Air Quality, Indiana Government Center
North, 100 North Senate, Room N1003,
Indianapolis, Indiana.

THURSDAY, NOVEMBER 18, 2010

Lawrenceburg Public Library, 150 Mary Street,
Lawrenceburg, Indiana.

Lawrenceburg City Building, 230 Walnut Street,
Lawrenceburg, Indiana.

The draft documents will also be available on the following Web page:

<http://www.in.gov/idem/4658.htm>

Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

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Lawrenceburg Township, Dearborn County, Indiana
Fine Particle (PM2.5) Redesignation Petition and
Maintenance Plan

Scott Deloney, Chief
Programs Branch

Indiana Department of Environmental Management
Office of Air Quality MC 61-50
100 North Senate Avenue
Indianapolis, IN 46206-2251

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Indiana Department of Environmental Management
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100 North Senate Avenue
Indianapolis, IN 46204-2251

Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours notification.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DRAFT REDESIGNATION PETITION AND MAINTENANCE PLAN

ORIGINAL

DATE: January 5, 2011

TIME: 5:30 P.M.

PLACE: Lawrenceburg Public Library
150 Mary Street
Eckert Meeting Room
Lawrenceburg, IN 47025

PRESENT: Shawn Seals, Indiana Dept. Env. Management
Sarah Raymond, Hearing Officer

Sharon Shields, Reporter

Sharon Shields
S.A.S. Reporting Service
3650 N. Old SR 62, Madison, IN 47250
Business: (812) 265-2994
Fax (812) 273-5220

1 A public hearing of the Department of Environment
2 Management Draft Redesignation and Maintenance Plan in
3 association with the Annual Fine Particle (PM_{2.5}) Standard
4 meeting was held at the Lawrenceburg Public Library, 150
5 Mary Street, Eckert Meeting Room, Lawrenceburg, IN 47025 at
6 5:30 P.M. on January 5, 2011.
7

8 **OPENING STATEMENTS BY MS. SARAH RAYMOND:**

9 This is a public hearing to accept comments concerning
10 the draft Redesignation Petition and Maintenance Plan in
11 association with the annual fine particulate matter standard
12 for the Indiana Portion of the Cincinnati-Hamilton OH-KY-IN
13 Fine Particle Nonattainment Area; Dearborn County
14 (Lawrenceburg Township), Indiana. This hearing is being held
15 to conform to the provisions in 40 CFR Part 51 regarding
16 public hearings for State Implementation Plan submittals.
17

18 My name is Sarah Raymond. I am a Senior Environmental
19 Manager in the Rule and State Implementation Plan
20 Development Section of the Indiana Department of
21 Environmental Management's Office of Air Quality. I have
22 been appointed to act as hearing officer for this public
23 hearing. Also, here with me from the Office of Air Quality
24 is Shawn Seals.
25

1 Notice of the time and place of the hearing was given
2 as provided by law by publication in the following paper:

- 3
- 4 • The Dearborn County Register, Lawrenceburg,
5 Indiana.
- 6

7 The purpose of this public hearing is to provide
8 interested persons an opportunity to offer comments to the
9 State regarding the draft Redesignation Petition and
10 Maintenance Plan for the annual fine particulate matter
11 standard for Lawrenceburg Township, Dearborn County,
12 Indiana.

13

14 Appearance cards have been distributed in the hearing
15 room for all those desiring to be shown appearing on record
16 in this cause. If you have not already filled out the card,
17 please do so and indicate if you are appearing for yourself
18 or on behalf of a group or organization and identify such
19 group or organization. Also, note the capacity in which you
20 appear, such as, attorney, officer or authorized
21 spokesperson.

22

23 Any person who is heard or represented at this hearing
24 or who requests notice may be given written notice of the
25 final action taken on this State Implementation Plan

1 submittal. Please indicate on the appearance card if you
2 wish to receive this notification. When appearance cards
3 have been completed, they should be handed to me and I will
4 include them with the official record of this proceeding.
5

6 Oral statements will be heard, but written statements
7 may be handed to me or mailed to the Office of Air Quality
8 on or before close of business on January 7, 2011. A
9 written transcript of this hearing is being made. The
10 transcript will be open for public inspection and a copy of
11 the transcript will be made available to any person upon
12 payment of the copying costs.
13

14 After the conclusion of this public hearing, I will
15 prepare a written report summarizing the comments received
16 at this hearing and recommended changes which may need to be
17 made to this document.
18

19 I would like to introduce the following documents into
20 the record:
21

- 22 1) The notice of public hearing.
- 23 2) Draft Request for Redesignation Petition and
24 Maintenance Plan for the annual fine particulate
25 matter standard for the Indiana Portion of the

1 Cincinnati-Hamilton OH-KY-IN Fine Particle
2 Nonattainment Area; Dearborn County (Lawrenceburg
3 Township), Indiana.
4

5 Finally, I would like to briefly go over the contents
6 of the draft documents.
7

8 In 1997, The United States Environmental Protection
9 Agency (U.S. EPA) set daily and annual ambient air quality
10 standards for fine particles at 15.0 micrograms per cubic
11 meter on an annual basis and at 65.0 micrograms per cubic
12 meter on a 24 hour or daily basis. Legal challenges to the
13 new standards for fine particles resulted in delayed
14 implementation of the standard until February 2001, when the
15 Supreme Court upheld the standards and ruled that the U.S.
16 EPA could proceed with implementation of the new standards.
17 The submittal pertains solely to the 1997 annual fine
18 particulate matter standard. The Cincinnati-Hamilton OH-KY-
19 IN Fine Particle Nonattainment Area complies with both the
20 1997 and 2006 24-hour standards. Indiana began monitoring
21 for fine particles in 1999. Fine particulate matter monitors
22 are located in all counties in the Cincinnati-Hamilton OH-
23 KY-IN nonattainment area, except for Boone County, Kentucky
24 and Lawrenceburg Township in Dearborn County, Indiana. The
25 U.S. EPA originally designated counties under the fine

1 particle standards based on 2001 through 2003 monitoring
2 data in December 2004. The U.S. EPA formally designated
3 areas throughout the country on April 5, 2005 as attainment,
4 nonattainment, or unclassifiable including Lawrenceburg
5 Township, Dearborn County, Indiana as part of the
6 Cincinnati-Hamilton OH-KY-IN Fine Particle Nonattainment
7 Area.

8
9 The Cincinnati-Hamilton OH-KY-IN Fine Particle
10 Nonattainment Area consists of Lawrenceburg Township,
11 Dearborn County, Indiana; Boone, Kenton and Campbell
12 counties, Kentucky; and Butler, Clermont, Hamilton and
13 Warren counties, Ohio.

14
15 The agencies responsible for assuring the
16 nonattainment area complies with the Clean Air Act
17 requirements are:

- 18
19
- 20 • The Indiana Department of Environmental
21 Management (IDEM), which is responsible for
22 Lawrenceburg Township, Dearborn County,
23 Indiana.
 - 24 • The Kentucky Department for Environmental
25 Protection, (KDEP), which is responsible for
Boone, Campbell and Kenton counties, Kentucky;

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and,

- The Ohio Environmental Protection Agency (Ohio EPA), which is responsible for Butler, Clermont, Clinton, Hamilton and Warren Counties, Ohio;

Indiana, Ohio and Kentucky have worked cooperatively with U.S. EPA Regions IV and V to address the planning issues.

Although Indiana, Ohio and Kentucky have worked together on a comprehensive plan for multi-state areas, each state is required to make a separate submittal for its portion of the planning components to U.S. EPA. As such, this submittal only covers Indiana's portion of the nonattainment area; Dearborn County (Lawrenceburg Township), Indiana.

The highest most recent design value for the area, based on 2007 through 2009 quality assured ambient air quality monitoring data is 15.04 micrograms per cubic meter. This design value represents fine particle concentrations that are below the national ambient air quality standard, thus the area is eligible to be redesignated to attainment under the annual fine particle

1 standard and classified as maintenance.

2
3 The Indiana Department of Environmental Management
4 has prepared the draft Redesignation Petition and
5 Maintenance Plan for Indiana's Portion of the Cincinnati-
6 Hamilton OH-KY-IN Fine Particle Nonattainment Area
7 consistent with U.S. EPA guidance. The draft petition
8 outlines a demonstration that the area has attained the
9 standard based on monitored concentrations, and that the
10 reductions in monitored concentrations are attributable to
11 permanent and enforceable reductions in precursor
12 emissions, specifically reductions of nitrogen oxides (NO_x)
13 and sulfur dioxides (SO₂). Furthermore, the draft
14 maintenance plan outlines the following:

- 15
16 • Dearborn County (Lawrenceburg Township),
17 Indiana, does not significantly contribute to
18 violations outside of its portion of the
19 nonattainment area.
- 20 • Redesignating Indiana's portion of the
21 Nonattainment area to attainment will not
22 adversely affect any downwind area's ability
23 to attain the standard.
- 24 • Regional Precursor emissions of nitrogen
25 oxides (NO_x) and sulfur dioxides (SO₂) will

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continue to decline in the future.

- Due to existing and future emission controls, the area's air quality is not projected to worsen, and should further improve over time.
 - A commitment for all existing emission controls to remain in place.
 - A commitment to revise the plan within eight years of redesignation.
 - A commitment to adopt and expeditiously implement necessary corrective actions if an action level response is triggered.
- * An action level response is triggered by a violation of the standard (a three year average annual arithmetic mean value of 15.1 micrograms per cubic meter or greater.
- * A mobile source budget for transportation conformity purposes.

This concludes my comments regarding the draft Redesignation Petition and Maintenance Plan for Indiana's Portion of the Cincinnati-Hamilton OH-KY-IN Fine Particle Nonattainment Area. Before opening this hearing for public comments, may I once again remind you that this hearing pertains solely to this draft Redesignation Petition and

1 Maintenance Plan in association with the annual fine
2 particle standard for Indiana's Portion of the Cincinnati-
3 Hamilton OH-KY-IN Fine Particle Nonattainment Area, and
4 only comments pertaining to this matter will be considered
5 as part of the public record.
6

7 Shawn and I will be available following this hearing
8 to address any questions you may have that do not pertain
9 to this specific matter.
10

11 This hearing is now open for public comment. Are
12 there any public comments?
13

14 In the absence of any further comments, these
15 proceedings are hereby concluded. This hearing is
16 adjourned.
17

18
19 * * * * *

20 CONCLUSION OF HEARING
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C E R T I F I C A T E

1
2 STATE OF INDIANA)
3) SS:
4 COUNTY OF JEFFERSON)

5 I, Sharon Shields, do hereby certify that I am a
6 Notary Public in and for the County of Jefferson, State of
7 Indiana, duly authorized and qualified to administer oaths;
8 That the foregoing public hearing was taken by me in
9 shorthand and on a tape recorder on January 5, 2011 at the
10 Lawrenceburg Public Library, Eckert Room, 150 Mary Street,
11 Lawrenceburg, IN; That this public hearing was taken on
12 behalf of the Indiana Department of Environmental Management
13 pursuant to agreement for taking at this time and place;
14 That the testimony of the witnesses was reduced to
15 typewriting by me and contains a complete and accurate
16 transcript of the said testimony.

17 I further certify that pursuant to stipulation by and
18 between the respective parties, this testimony has been
19 transcribed and submitted to the Indiana Department of
20 Environmental Management.

21 WITNESS my hand and notarial seal this 14th day of
22 January, 2011.

23 
24 _____
25 Sharon Shields, Notary Public
Jefferson County, State of Indiana

My Commission Expires: July 2, 2015

Lawrenceburg Township, Dearborn County, Indiana Redesignation Request and Maintenance Plan in Association with the Annual Fine Particle (PM_{2.5}) Standard

Summary/Response to Comments Received

The Indiana Department of Environmental Management (IDEM) requested public comment on the draft Redesignation Request and Maintenance Plan for Lawrenceburg Township, Dearborn County, Indiana from November 18, 2010 to January 7, 2011. The Ohio Environmental Protection Agency (Ohio EPA) provided minor technical updates that included an updated Mobile Source Emissions Inventory for the Cincinnati PM_{2.5} Nonattainment Area from the Ohio Kentucky Indiana (OKI) Regional Council of Governments. Based on the updated Mobile Source Emission Inventory, the Redesignation Request and Maintenance Plan for Lawrenceburg Township, Dearborn County, Indiana has been updated, as well as the following appendices:

- Appendix C: Nitrogen Oxides (NO_x), Sulfur Dioxides (SO₂) and Direct Fine Particulate Matter (PM_{2.5}) (2005 and 2008) Emission Trends, All Sources, Entire Cincinnati-Hamilton, OH-KY-IN Nonattainment Area
- Appendix E : 2008 Base Year Emissions Inventory and 2015 and 2021 Projected Emissions Inventory for Nitrogen Oxides (NO_x), Sulfur Dioxides (SO₂) and Direct Fine Particulate Matter (PM_{2.5}) in Entire Cincinnati-Hamilton, OH-KY-IN Nonattainment Area

A public hearing was also held on January 5, 2011 in Lawrenceburg, Indiana. IDEM received no comments at the public hearing.