

# APPENDIX D

## Public Participation Documentation

**LEGAL NOTICE OF PUBLIC HEARING**  
**Redesignation Petition and Maintenance Plan**  
**in association with the 8 hour ozone standard,**  
**for St. Joseph/Elkhart Counties.**

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on Thursday, April 27, 2006. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Elkhart County. The meeting will convene at 6:00 p.m. (local time) in the St. Joseph County Public Library, Humphreys Room, 304 South Main Street, South Bend, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

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Copies of the draft documents will be available on or before March 28, 2006 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.
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- Northern Regional Office, 220 West Colfax Avenue, Suite 200, South Bend, Indiana

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 Wednesday, May 3, 2006. Mailed comments should be addressed to:

St. Joseph/Elkhart Counties Redesignation Petition and Maintenance Plan  
Kathryn Watson, Chief  
Air Programs Branch, Office of Air Quality – Mail Code 61-50  
100 North Senate Avenue  
Indiana Department of Environmental Management  
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.

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Kathryn Watson, Chief  
Air Programs Branch  
Office of Air Quality

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*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.*

**SUMMARY OF PUBLIC HEARING COMMENTS AND RESPONSES**

**Legend:**

- Public Comment
- IDEM Response

**Kyle Hannon, Greater Elkhart Chamber of Commerce**

- The Greater Elkhart Chamber of Commerce supports the redesignation petition.
- IDEM appreciates the support.
- The area has met the ozone and PM2.5 standards at the same time that production in increasing in the county.
- IDEM agrees.
- Companies are paying attention and controls are working.
- IDEM agrees.

**Terry Miller, St. Joseph County Chamber of Commerce**

- The St. Joseph County Chamber of Commerce supports the redesignation petition.
- IDEM appreciates the support.
- We are all aware that ozone transporting into the county needs to be addressed.
- Regional rules such as the NO<sub>x</sub> SIP Call trading program and the Clean Air Interstate Rule for NO<sub>x</sub> and SO<sub>2</sub> will continue to address regional transport of ozone.
- As the full impact of regulations go into affect in Chicago and Illinois, it will keep the area in compliance.
- IDEM agrees that the emissions of ozone precursors shall be reduced as noted in the previous response (above) and also from the turnover of cars and trucks due to more strict regulations on tailpipe emissions for newer vehicles.

**WRITTEN COMMENTS:**

**Letter (April 27, 2006) from Philip E. Penn, The Greater Elkhart Chamber of Commerce**

- We strongly support the change from nonattainment status for the area.
- IDEM appreciates the support.
- The summer was hot and factory production increased and the ozone average fell below 85 ppb as a result of area companies' hard work and cooperation with IDEM. The Chamber's Environmental Council meets monthly and includes discussions on pollution prevention ideas. An annual Environmental Conference exposes environmental managers to the latest pollution prevention information. Area companies contribute and support Ozone Action Days. Local efforts and diesel regulations have helped.

- IDEM agrees and appreciates the support and cooperation.

**END OF COMMENTS**



4/3

IND DEPT OF ENVIRONMENTAL MGMT  
MARION COUNTY, INDIANA

To: INDIANAPOLIS NEWSPAPERS  
307 N PENNSYLVANIA ST - PO BOX 145  
INDIANAPOLIS, IN 46206-0145

**PUBLISHER'S CLAIM**

LEGAL NOTICE OF PUBLIC HEARING  
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**LINE COUNT**

Display Matter - (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set). Number of equivalent lines \_\_\_\_\_ \$ \_\_\_\_\_

Head - Number of lines \_\_\_\_\_ \$ \_\_\_\_\_

Body - Number of lines \_\_\_\_\_ \$ \_\_\_\_\_

Tail - Number of lines \_\_\_\_\_ \$ \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

126.0 lines 1.0 columns wide equals 126.0 equivalent \_\_\_\_\_ \$ 47.12

lines at 374 cents per line

Additional charge for notices containing rule and figure work (50 per cent of above amount) \_\_\_\_\_ \$ \_\_\_\_\_

Charges for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_ \$ .00 \$ .00

**TOTAL AMOUNT OF CLAIM**

**ATA FOR COMPUTING COST**

Width of single column 7.83 ems Size of type 5.7 point \_\_\_\_\_ \$ \_\_\_\_\_

Number of insertions 1.0 \_\_\_\_\_ \$ 47.12

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

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.

DATE: 03/28/2006

81956-4265005

*Karen Mullins* Clerk Title

**PUBLISHER'S AFFIDAVIT**

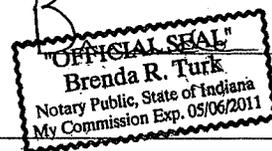
State of Indiana SS:  
MARION County

Personally appeared before me, a notary public in and for said county and state, the undersigned **Karen Mullins** who, being duly sworn, says that SHE is clerk of the INDIANAPOLIS NEWSPAPERS a DAILY STAR newspaper of general circulation printed and published in the English language in the city of INDIANAPOLIS in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), between the dates of:

03/28/2006 and 03/28/2006

*Karen Mullins* Clerk Title

Subscribed and sworn to before me on 03/28/2006



*B. Turk* Notary Public

My commission expires: \_\_\_\_\_

rm 65-REV 1-88

**STATE PRESCRIBED FORMULA**

7.83 PICA COLUMN - 94 POINT  
94 POINTS / 5.7 PT. TYPE - 16.49  
16.49 EMS / 250 - .06596 SQUARES  
.06596 SQUARES x \$5.14 - .339 CENTS PER LINE

**RATE PER LINE**

PUBLISHED 1 TIME = .339  
PUBLISHED 2 TIMES = .509  
PUBLISHED 3 TIMES = .679  
PUBLISHED 4 TIMES = .848



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

Joseph E. Kernan  
Governor

Lori F. Kaplan  
Commissioner

100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

Indianapolis Star & News  
307 North Pennsylvania  
PO Box 145  
Indianapolis, Indiana 46204

Date: March 23, 2006

Phone: 317-444-4000  
Fax: 317-444-8806

**ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION**

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning 8 Hour Ozone Redesignation Petition and Maintenance Plan for St. Joseph/Elkhart Counties.

**Please print ONE TIME, on or before March 28, 2006, in order for us to satisfy our statutory requirements.**

**Please send a notarized form no. 99p and/or publisher's claim, together with the clipping, showing the date of publication and your Federal ID number to:**

**MAIL TO:**

**Attn: Sandra Robinson, Room N1001  
Indiana Department of Environmental Management  
Air Programs Branch, Office of Air Quality  
Mail Code 61-50  
Indianapolis, Indiana 46206-2251**

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

Sandra Robinson  
Air Programs Branch  
Office of Air Quality

Enclosures

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**TO: ACCOUNTING**  
**IGCN - Room 1345**

**FROM: KAROL T. CHUMA**  
**IGCN - 1001**  
**RULES SECTION**  
**OFFICE OF AIR QUALITY**

**DATE:** 4-12-06

**Note: Please send a copy of the paid**  
**publication to Indianapolis Star**  
**& News**

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**The attached invoice for publication of**  
**public notice is approved for payment.**

**ACCOUNT # 3610/140900**

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Indiana Dept. of Environmental Mgmt. (Governmental Unit)

To

The Goshen News

Dr.

Elkhart

County, Indiana

114 S. Main St., Goshen, IN 46526

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)

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Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on Thursday, April 27, 2006. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the 8 hour ozone standard, for St. Joseph/Elkhart County. The meeting will convene at 6:00 p.m. (local time) in the St. Joseph County Public Library, Humphreys Room, 304 South Main Street, South Bend, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

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Table with 2 columns: Description, Amount. Row 1: equals 213 equivalent, 61.98. Row 2: 213, 61.98.



953, hat the amount claimed is legally due, after allowing all just credits, and that no part

Title: Business Office Brenda Donat

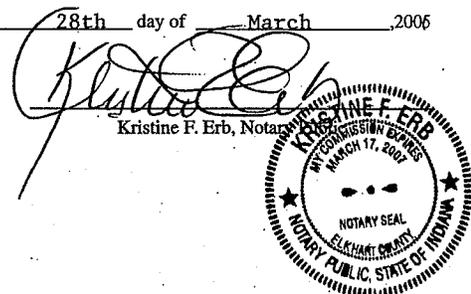
ER'S AFFIDAVIT

DIANA } COUNTY } ss

appeared before me, a notary public in and for said county and state, the undersigned sworn, says that The Goshen News, a daily newspaper of general circulation, published in the English language in the city of Goshen in state and county aforesaid, nted matter attached hereto is a true copy, which was duly published in said paper

For 1 time, the dates of publication being as follows: March 28, 2006

Subscribed and sworn to before me this 28th day of March, 2006



My commission expires March 17, 2007.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
*We make Indiana a cleaner, healthier place to live.*

---

Joseph E. Kernan  
Governor

Lori F. Kaplan  
Commissioner

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P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
(317) 232-8603  
(800) 451-6027  
[www.IN.gov/idem](http://www.IN.gov/idem)

Goshen News  
P O Box 569  
Goshen, Indiana 46527

Date: March 23, 2006

Phone: 574-533-2151  
Fax: 574-533-0839

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Air Programs Branch, Office of Air Quality  
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Indianapolis, Indiana 46206-2251**

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

Sandra Robinson  
Air Programs Branch  
Office of Air Quality

Enclosures

---

**TO: ACCOUNTING  
IGCN - Room 1345**

**FROM: KAROL T. CHUMA  
IGCN - 1001  
RULES SECTION  
OFFICE OF AIR QUALITY**

**DATE: 4-12-06**

**Note: Please send a copy of the paid  
publication to Gashen News**

---

**The attached invoice for publication of  
public notice is approved for payment.**

**ACCOUNT # 3610/140900**

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To: **The Truth**  
(Governmental Unit) 421 S. Second Street  
Elkhart County, Indiana Elkhart, IN 46516

APR -6 A 11:21

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March 28

**PUBLISHER'S CLAIM**

**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

Head - number of lines

Body - number of lines

Tail - number of lines

Total number of lines in notice

\_\_\_\_\_  
\_\_\_\_\_  
95  
\_\_\_\_\_  
95  
\_\_\_\_\_

**COMPUTATION OF CHARGES**

95 lines, 2 columns wide equals 95 equivalent lines at 0.582¢ per line

\$ 55.29

Additional charge for notices containing rule or tabular work (50% of above amount)

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

TOTAL AMOUNT OF CLAIM

\$ 55.29

**DATA FOR COMPUTING COST**

Width of single column 6.925 EM

Size of type 8 point

Number of insertions 1

Pursuant to the provisions and penalties of Ch. 155, Acts 1953,

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.

Date: March 28, 2006

Mark T. Wolf  
Title: Classified/Call Center Manager

**PUBLISHER'S AFFIDAVIT**

State of Indiana Elkhart) ss  
County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Mark T. Wolf who, being duly sworn, says that he is the Classified/Call Center Manager of The Truth a daily newspaper of general circulation printed and published in the English language in the city of Elkhart in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the dates of publication, being as follows:

March 28, 2006

Mark T. Wolf

Subscribed and sworn to before me this 28th day of March, 2006

Eugene M. Darling

Notary Public

EUGENE M. DARLING

NOTARY PUBLIC STATE OF INDIANA  
ELKHART COUNTY

My commission expires

MY COMMISSION EXP. MAY 24, 2009



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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Governor

Lori F. Kaplan  
Commissioner

100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

Elkhart Truth  
421 South Second Street  
PO Box 487  
Elkhart, Indiana 46515

Date: March 23, 2006

Phone: 574-296-5924  
Fax: 574-522-4897

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OFFICE OF AIR QUALITY**

**DATE: 4-12-06**

**Note: Please send a copy of the paid  
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**located in Elkhart, Indiana**

**The attached invoice for publication of  
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**ACCOUNT # 3610/140900**

Indiana Department of Environmental Management  
(Governmental Unit)  
T3943497 \_\_\_\_\_ County, Indiana

To: South Bend Tribune  
225 West Colfax  
South Bend, Indiana 46626

2006 MAR 30 A 10:40

PUBLISHER'S CLAIM

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Head — number of lines \_\_\_\_\_  
Body — number of lines \_\_\_\_\_  
Tail — number of lines \_\_\_\_\_  
Total number of lines in notice \_\_\_\_\_ 130

COMPUTATION OF CHARGES

65 \_\_\_\_\_ lines, \_\_\_\_\_ columns wide equals 30 equivalent lines at .307  
cents per line \_\_\_\_\_ \$ 39.91  
Additional charge 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.) \_\_\_\_\_

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100 North Senate Avenue  
Indiana Department of Environmental Management  
Indianapolis, IN 46208-2251  
1t: 3: 26

AMOUNT OF CLAIM \_\_\_\_\_ \$ 39.91

**PRINTING COST**  
\_\_\_\_\_ 11 ems Size of type \_\_\_\_\_ 6.5 point  
\_\_\_\_\_ 1 Size of quad upon which type is cast 6.5 pt

and penalties of Chapter 155, Acts 1953,  
going account is just and correct, that the amount claimed is legally due, after allowing all just  
same has been paid.

*Carol Smith*

2006 Title Advertising Director

PUBLISHER'S AFFIDAVIT

State of Indiana }  
St. Joseph County } SS:  
Personally appeared before me, a notary public in and for said county and state, the undersigned Carol Smith who, being duly sworn, says that s/he is Advertising Director of the South Bend Tribune, a Daily & Sunday newspaper of general circulation printed and published in the English language in the (city) of South Bend in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 times 1, the dates of publication being as follows: March 26, 2006

*Carol Smith*

Tax ID # 35-138-1571

Subscribed and sworn to before me this 26th day of March 2006

*Geraldine Dickey*

Geraldine Dickey  
Notary Public  
Resident of St. Joseph County



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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South Bend Tribune  
225 West Colfax Avenue  
South Bend, Indiana 46626

Date: March 23, 2006

Phone: 574-235-6216  
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**ATTENTION: PUBLIC NOTICES - LEGAL ADVERTISING SECTION**

Enclosed please find Indiana Department of Environmental Management Public Hearing Legal Notices(s) concerning 8 Hour Ozone Redesignation Petition and Maintenance Plan for St. Joseph/Elkhart Counties.

**Please print ONE TIME, on or before March 28, 2006, in order for us to satisfy our statutory requirements.**

**Please send a notarized form no. 99p and/or publisher's claim, together with the clipping, showing the date of publication and your Federal ID number to:**

**MAIL TO:**

**Attn: Sandra Robinson, Room N1001  
Indiana Department of Environmental Management  
Air Programs Branch, Office of Air Quality  
Mail Code 61-50  
Indianapolis, Indiana 46206-2251**

If you have any questions, please call me at 317-233-0427. Thank you.

Sincerely,

Sandra Robinson  
Air Programs Branch  
Office of Air Quality

Enclosures

**TO: ACCOUNTING  
IGCN - Room 1345**

**FROM: KAROL T. CHUMA  
IGCN - 1001  
RULES SECTION  
OFFICE OF AIR QUALITY**

**DATE: 4-12-06**

**Note: Please send a copy of the paid  
publication to South Bend Tribune**

**The attached invoice for publication of  
public notice is approved for payment.**

**ACCOUNT # 3610/140900**

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BEFORE THE INDIANA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

- - -

PUBLIC HEARING REGARDING  
THE DRAFT REDESIGNATION PETITION  
AND MAINTENANCE PLAN  
IN ASSOCIATION WITH THE 8 HOUR  
OZONE STANDARD FOR ST. JOSEPH AND  
ELKHART COUNTIES IN INDIANA

**COPY**

PROCEEDINGS

in the above-captioned matter, before Hearing  
Officer Laurence Brown, taken before me,  
Lindy L. Meyer, Jr., a Notary Public in and for  
the State of Indiana, County of Shelby, at the  
St. Joseph County Public Library, Humphreys  
Multimedia Room, 304 South Main Street,  
South Bend, Indiana, on Thursday, April 27,  
2006 at 6:05 o'clock p.m.

- - -

William F. Daniels, RPR/CP CM d/b/a  
ACCURATE REPORTING OF INDIANA  
12922 Brighton Avenue  
Carmel, Indiana 46032  
(317) 848-0088

1 6:05 o'clock p.m.  
2 April 27, 2006  
3 - - -

4 THE HEARING OFFICER: Okay. It  
5 is 6:10. This is a public hearing to accept  
6 comments concerning the draft Redesignation  
7 Petition and Maintenance Plan in association  
8 with the eight-hour ozone standard for  
9 St. Joseph and Elkhart Counties in Indiana.  
10 This hearing is being held to conform to the  
11 provisions in 40 CFR Part 51 regarding public  
12 hearings for state implementation plan  
13 submittals.

14 My name is Lawrence Brown. I am an  
15 environmental manager in the Planning and  
16 Policy Section of the Indiana Department of  
17 Environmental Management's Office of Air  
18 Quality. I have been appointed to act as  
19 Hearing Officer for this public hearing. Also  
20 in attendance from IDEM is Sandra Robinson.

21 Notice of the time and place of the  
22 hearing was given as provided by law by  
23 publication in the following newspapers: The  
Indianapolis Star, the Goshen News, the

1 South Bend Tribune, the Elkhart Truth.

2 The purpose of this public hearing is  
3 to provide interested persons an opportunity to  
4 offer comments to the state regarding the draft  
5 Redesignation Petition and Maintenance Plan for  
6 St. Joseph and Elkhart Counties.

7 Appearance forms have been distributed  
8 in the hearing room for all those desiring to  
9 be shown appearing on record in this cause. If  
10 you have not already filled out the form,  
11 please do so, and indicate if you are appearing  
12 for yourself or on behalf of a group or  
13 organization, and identify such group or  
14 organization. Also note the capacity in which  
15 you appear, such as attorney, officer or  
16 authorized spokesperson.

17 Any person who is heard or represented  
18 at this hearing or who requests notice may be  
19 given written notice of the final action taken  
20 on this State Implementation Plan submittal.  
21 Please indicate on the appearance card if you  
22 wish to receive this notification. When  
23 appearance cards have been completed, they

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APPEARANCES:  
ON BEHALF OF IDEM:  
    Sandra Robinson

SPEAKERS PRESENT:  
    Kyle Hannon  
    Terry Miller

OTHERS PRESENT:  
    Michele Curtis  
    Sue Lowe

- - -

1       should be handed to me, and I will include them  
2       with the official record of this proceeding.

3               Oral statements will be heard, but  
4       written statements may be handed to me, or  
5       mailed or faxed to the Office of Air Quality,  
6       and must be received before close of business  
7       on Wednesday, May 3rd, 2006. A written  
8       transaction of this hearing is being made. The  
9       transcript will be open for public inspection  
10      and a copy of the transcript will be made  
11      available to any person upon payment of the  
12      copying costs.

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

18              I would like to introduce the following  
19      documents into the record: The notice of  
20      public hearing, which Sandra has; the draft  
21      Redesignation Petition and Maintenance Plan for  
22      St. Joseph and Elkhart Counties, also found on  
23      the table.

1           Finally, I would like to briefly go  
2 over the contents of the draft document.

3           In 1997, the United States  
4 Environmental Protection Agency established a  
5 new more stringent standard for ozone, referred  
6 to as the eight-hour ozone standard. The  
7 standard itself was established at .08 parts  
8 per million measured over an eight-hour period.

9           Within the Guidelines on Data Handling  
10 Conventions for the Eight-Hour Ozone National  
11 Ambient Air Quality Standards, published by the  
12 U.S. Environmental Protection Agency in  
13 December of 1998, U.S. EPA established parts  
14 per million and three significant figures as  
15 the basis for computation of eight-hour  
16 concentrations.

17           In accordance with this guideline,  
18 three significant digits are used to determine  
19 an area's design value and for conducting  
20 attainment tests. Specifically, because the  
21 third decimal digit is rounded, .084 parts per  
22 million is the largest concentration that is  
23 less than or equal to the standard of .08 parts

1 per million. Therefore, an ozone concentration  
2 equal to or greater than .085 parts per million  
3 is considered to be above or in violation of  
4 the standard.

5 Legal challenges to the new standard  
6 for ozone resulted in delayed implementation of  
7 the standard until February 2001, when the  
8 Supreme Court ruled that the U.S. EPA could  
9 proceed with implementation of the new  
10 standard, providing that the U.S. EPA's  
11 implementation is consistent with the Clean Air  
12 Act.

13 The U.S. EPA's first action in  
14 implementing the new standard for ozone was to  
15 designate areas throughout the country as  
16 attainment, nonattainment, and unclassifiable.  
17 St. Joseph and Elkhart Counties were designated  
18 nonattainment under the eight-hour ozone  
19 standard on April 15th, 2004. This designation  
20 was based on monitored design values of .093  
21 parts per million at the Fire Station Ozone  
22 Monitor located in Granger in St. Joseph  
23 County.

1 Is that how you pronounce it?

2 MS. CURTIS: Yes.

3 THE HEARING OFFICER: Okay.

4 Design values are an average of the  
5 annual fourth highest ozone values monitored at  
6 each of these monitoring sites for the years  
7 2001 through 2003. At the conclusion of the  
8 2005 ozone season, the monitors located in  
9 St. Joseph and Elkhart Counties measured air  
10 quality that meets the ambient air quality  
11 standard for ozone.

12 The most recent design values for the  
13 area are .083 parts per million at the Fire  
14 Station Ozone Monitor located in Granger in  
15 St. Joseph County, and also at the Bristol  
16 Elementary School located in Bristol in Elkhart  
17 County. These design values are an average of  
18 the annual fourth highest ozone values  
19 monitored at each of these monitoring sites for  
20 the years 2003 through 2005.

21 These design values represent ozone  
22 concentrations that are below the national  
23 ambient air quality standard, thus the area is

1 eligible to be redesignated to attainment under  
2 the eight-hour ozone standard and classified as  
3 maintenance.

4 The Indiana Department of Environmental  
5 Management has prepared the draft Redesignation  
6 Petition and Maintenance Plan for St. Joseph  
7 and Elkhart Counties in accordance with the  
8 U.S. EPA guidance. The draft petition outlines  
9 a demonstration that the area has attained the  
10 standard based on monitored concentrations, and  
11 that the reductions in monitored concentrations  
12 are attributable to permanent and enforceable  
13 reductions in precursor emissions, specifically  
14 reductions of both volatile organic compounds,  
15 also known as VOC's, and oxides of nitrogen,  
16 commonly described as NOX.

17 Furthermore, the draft maintenance plan  
18 outlines the following:

19 One, precursor emissions of volatile  
20 organic compounds and oxides of nitrogens will  
21 continue to decline in the future.

22 Two, the -- due to existing and future  
23 emission controls, the area's air quality is

1 not projected to worsen, and should improve  
2 further over time.

3 Three, a commitment for all existing  
4 emission controls to remain in place.

5 Four, a commitment to revise the plan  
6 within eight years of redesignation.

7 Five, a commitment to adopt and  
8 expeditiously implement necessary corrective  
9 actions if a warning or action level response  
10 is prompted.

11 A warning level response is prompted  
12 whenever an annual fourth high monitored value  
13 of .089 parts per million occurs in a single  
14 ozone season, or a two-year average fourth high  
15 monitored value of .085 parts per million or  
16 greater occurs within the maintenance area.

17 An action level response is prompted  
18 whenever a violation of the standard -- that's  
19 the three-year fourth high monitored value of  
20 .085 parts per million or greater -- occurs.

21 And six, a mobile source emissions  
22 budget for the transportation -- for  
23 transportation conformity purposes.

1           This concludes my comments regarding  
2           the draft redesignation petition and  
3           maintenance plan for St. Joseph and Elkhart  
4           Counties. This hearing is now open for public  
5           comment. Please step to the microphone and  
6           state your name if you have comments. Are  
7           there any public comments?

8           MR. HANNON: I'm Kyle Hannon, from  
9           the Greater Elkhart Chamber of Commerce, and I  
10          rise in support of the redesignation petition.  
11          You've done a great job. I just -- I think  
12          it's notable that we met the ozone standard,  
13          and also earlier we met the particulate matter  
14          standard, and this is happening at the same  
15          time that production is increasing in our  
16          county.

17          So, I think our companies are paying  
18          attention to emissions, and I think that  
19          emission controls are working, and I hope that  
20          we can be redesignated and move on from there.  
21          We don't need that label of nonattainment  
22          anymore, and it's time to shed that label and  
23          move forward.

1 Thank you.

2 THE HEARING OFFICER: Thank you.

3 MR. MILLER: My name is Terry  
4 Miller, and I'm Director of Public Policy for  
5 the St. Joe County Chamber of Commerce, and I  
6 also rise in support of the redesignation. We  
7 were active, more active at the point of the  
8 designation a couple of years ago.

9 And, of course, all of us have been  
10 very aware of the fact that, as you indicate on  
11 your -- in your draft on the modeling, that  
12 the -- there are significant impacted ozones  
13 transporting into the counties from primarily  
14 west of here, and that that is a significant  
15 fact that needs to be addressed.

16 At the time, we were supporting a  
17 substantial compliance, or there was some  
18 effort to suggest that there be a designation  
19 less than a noncompliance, and that seemed to  
20 make sense considering that the transport was a  
21 significant impact here, and I'm glad to see  
22 that that is pointed out in this report, and  
23 certainly as the full impact of all of the

1 regulations go into effect all over the -- from  
2 Chicago and Illinois, that it will impact us  
3 going forward and keep us in compliance.

4 Thank you.

5 THE HEARING OFFICER: Thank you.

6 MR. HANNON: Is that it?

7 THE HEARING OFFICER: In the  
8 absence of any further comments, these  
9 proceedings are hereby concluded. This hearing  
10 is adjourned.

11 - - -  
12 Thereupon, the proceedings of  
13 April 27, 2006 were concluded  
14 at 6:19 o'clock p.m.  
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CERTIFICATE

I, Lindy L. Meyer, Jr., the undersigned Court Reporter and Notary Public residing in the City of Shelbyville, Shelby County, Indiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me on Thursday, April 27, 2006 in this matter and transcribed by me.

  
Lindy L. Meyer, Jr.,  
Notary Public in and  
for the State of Indiana.

My Commission expires October 27, 2008.

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