

APPENDIX L

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

Southwestern Indiana Area

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on March 15, 2011. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in Association with the Annual PM_{2.5} Standard, for the Southwestern Indiana Area. The meeting will convene at 5:30 p.m. (local time) in the Vectren Auditorium, Room 147 at the Evansville Main Campus of the Ivy Tech Community College, located at 3501 N. First Avenue, Evansville, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

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 February 15, 2011 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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- Spencer County Public Library, 210 Walnut Street, Rockport, Indiana.
- IDEM Southwest Regional Office, 1120 North Vincennes Avenue, Petersburg, 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 March 18, 2011. Mailed comments should be addressed to:

**Southwestern Indiana Area Fine Particle (PM_{2.5}) Redesignation
Petition and Maintenance Plan**

Scott Deloney, Chief
Programs Branch
Office of Air Quality MC 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.

For additional information contact Mr. Shawn Seals, 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) 233-0425 or (800) 451-6027 ext. 3-0425 (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.

Public Hearing Script
Southwestern Indiana
Draft Redesignation Petition and Maintenance
Plan

This is a public hearing to solely accept comments concerning the Draft Redesignation Petition and Maintenance Plan in association with the annual fine particulate matter standard for the Southwestern Indiana Area. This hearing is being held to conform to the provisions in 40 CFR Part 51 regarding public hearings for State Implementation Plan submittals.

My name is Shawn Seals. I am a Senior Environmental Manager in the Planning Section of the Indiana Department of Environmental Management's Office of Air Quality. I have been appointed to act as hearing officer for this public hearing. Also, here with me from the Office of Air Quality is Scott Deloney, of the Air Programs Branch.

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

- 1) The Indianapolis Star, Indianapolis, Indiana
- 2) The Evansville Courier, Evansville, Indiana
- 3) The Herald, Jasper, Indiana

The purpose of this public hearing is to provide interested persons an opportunity to offer comments to the state regarding the Draft Redesignation

Petition and Maintenance Plan in association with the annual fine particulate matter standard for the Southwestern Indiana Area.

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

Any person who is heard or represented at this hearing or who requests notice may be given written notice of the final action taken on this State Implementation Plan submittal. Please indicate on the appearance card if you wish to receive this notification. When appearance cards have been completed, they should be handed to Scott and we will include them with the official record of this proceeding.

Oral statements will be heard, but written statements may be handed to me or Scott, or these statements can be mailed to the Office of Air Quality on or before close of business on March 18, 2011. A written transcript of this hearing is being made. The transcript will be open for public inspection and a copy of the transcript will be made available to any person upon payment of the copying cost.

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

I would like to introduce the following documents into the record:

- 1) The notice of public hearing.
- 2) Draft Request for Redesignation and Maintenance Plan under the Annual National Ambient Air Quality Standard for Fine Particles for the Southwestern Indiana Area

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

In 1997, the United States Environmental Protection Agency (U.S. EPA) set daily and annual ambient air quality standards for fine particles at 15.0 micrograms per cubic meter on an annual basis and at 65.0 micrograms per cubic meter on a 24-hour or daily basis.

Legal challenges to the new standards for fine particles resulted in delayed implementation of the standard until February 2001, when the Supreme Court upheld the standards and ruled that the U.S. EPA could proceed with implementation of the new standards. Indiana began monitoring for fine particles in 1999. The U.S. EPA originally designated counties under the fine particle standards based on 2001 through 2003 monitoring data in December 2004. The U.S. EPA designated areas throughout the country as attainment, nonattainment, or unclassifiable. However, the U.S. EPA withdrew a number of counties identified as nonattainment based on updated monitoring data for 2002 through 2004 prior to the effective date of designations, which was April 5, 2005, based on the fact that those counties had met the standard at the close of 2004.

As required by the Clean Air Act, in 2006 the U.S. EPA reviewed the annual and daily standard for fine particles to verify that the current National

Ambient Air Quality Standards (NAAQS) continue to be protective of human health. Through this detailed review process, the U.S. EPA determined that the 1997 annual standard for fine particles was adequately protective of human health, but that the daily standard needed to be revised. It should be noted that this public hearing is solely related to the Redesignation Petition and Maintenance Plan in association with the ANNUAL fine particulate matter standard as it applies to the Southwestern Indiana Area.

The following information is taken from U.S. EPA's "Guideline on Data Handling Conventions for the PM NAAQS," U.S. EPA-454/R-99-008, April 1999. Three complete years of fine particles monitoring data are required to demonstrate attainment at a monitoring site. The annual ambient air quality standard for fine particles is met at an ambient air quality monitoring site when the three year average of the annual average of fine particle concentrations is less than or equal to 15.0 $\mu\text{g}/\text{m}^3$. When this occurs, according to the U.S. EPA, the area is in compliance with the standard. Three significant digits must be carried in the computations and values are rounded to the nearest 0.1 $\mu\text{g}/\text{m}^3$. Round decimals of 0.05 or greater upward and those less than 0.05 downward, 15.049 $\mu\text{g}/\text{m}^3$ is the largest concentration that is less than, or equal to 15.0 $\mu\text{g}/\text{m}^3$. Therefore, for the purposes of this request, the annual fine particles standard is considered to be 15.0 $\mu\text{g}/\text{m}^3$. Values at or below 15.0 $\mu\text{g}/\text{m}^3$ meet the standard; values equal to or greater than 15.1 $\mu\text{g}/\text{m}^3$ exceed the standard. The 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 standard and classified as maintenance. Being classified as a maintenance area means that the State has to ensure that the overall emissions inventory does not exceed the current levels,

and that regulatory decisions do not interfere with the area's ability to maintain compliance with the standard.

At the conclusion of 2006, the design value for the area, based on 2004 through 2006 monitoring data, was 15.0 ug/m³. From 2005 through 2007 monitoring data held steady at 15.0 ug/m³. Data from 2006 through 2008 showed an improvement in air quality with monitor values dropping to 13.7 ug/m³. Finally, from 2007 through 2009, monitor values dropped even further to 13.2 ug/m³. The design values for all of these years are included in this redesignation SIP.

The Southwestern Indiana Area has complied with the annual standard for PM_{2.5} for four consecutive years, with values that are now well below the standard. Furthermore, photochemical modeling conducted by the State of Indiana, the Midwest Regional Planning Organization, and the U.S. EPA demonstrates that beginning in 2011, the Southwestern Indiana Area will benefit greatly from the implementation of U.S. EPA's proposed Clean Air Transport Rule, with projected design values well below the standard and providing for an ample margin of safety. These modeling results are considered to be conservative, as they do not include emission reductions that will occur as a result of several federal control programs including substantial off-road diesel fuel and engine reductions.

To meet the regulatory requirements put forth by U.S. EPA in relation to National Ambient Air Quality Standards, IDEM was required to submit a State Implementation Plan (also known as an attainment SIP) no later than April 5th of 2008. In lieu of an attainment SIP that verifies to the U.S. EPA that the area is

“on target” to meet the annual National Ambient Air Quality Standard for fine particles based on monitoring and modeling information, IDEM deemed it more appropriate to submit a redesignation SIP that demonstrates that the area has already met the standard. On April 3, 2008, IDEM submitted a redesignation SIP to U.S. EPA for review and approval including a maintenance plan horizon year of 2020. The U.S. EPA has not been able to act on the 2008 redesignation SIP due to a federal court’s remand of the Clean Air Interstate Rule. This remand prevents the U.S. EPA from deeming the emission reductions that aided this area in attaining the standard as being permanent and enforceable. As such, the U.S. EPA did not wish to proceed with approval of IDEM’s 2008 submittal until a replacement rule is in place for the Clean Air Interstate Rule. On July 6, 2010, the U.S. EPA proposed a replacement rule referred to as the Clean Air Transport Rule. This rule will be finalized this summer and at that time, the U.S. EPA will be able to proceed with approving redesignations. As for the 2008 submittal, the maintenance plan horizon year of 2020 is no longer at least 10 years from the date of potential U.S. EPA approval. As such, IDEM is now submitting this updated redesignation SIP with a maintenance plan horizon year of 2022 as a direct replacement to the submittal from April of 2008.

It is important to note that U.S. EPA viewed IDEM’s 2008 submittal for the Southwestern Indiana Area to be valid until such time that the Clean Air Interstate Rule was remanded. Since that time, air quality has improved even further within the region and a replacement rule for the Clean Air Interstate Rule will soon be in place.

The Indiana Department of Environmental Management has prepared this Draft Request for Redesignation and Maintenance Plan under the Annual

National Ambient Air Quality Standard for Fine Particles for the Southwestern Indiana Area consistent with U.S. EPA guidance. The draft petition outlines a demonstration that the area has attained the standard based on monitored concentrations, and that the reductions in monitored concentrations are attributable to permanent and enforceable regional reductions in precursor emissions, specifically reductions of oxides of nitrogen and sulfur dioxide.

Furthermore, the draft maintenance plan outlines the following:

- Regional precursor emissions of oxides of nitrogen and sulfur dioxide will 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 improve further 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 mobile source budget for transportation conformity purposes.
- A commitment to adopt and expeditiously implement necessary corrective actions if a warning or action level response is triggered.
 - An action level response is triggered by a violation of the standard 3-year average of 15.1 ug/m³.

This concludes my comments regarding the Draft Request for Redesignation and Maintenance Plan under the Annual National Ambient Air Quality Standard for Fine Particles for Southwestern Indiana. Before opening this hearing for public comments, may I once again remind you that this hearing pertains solely to this Draft Redesignation Petition and Maintenance Plan in association with the annual fine particle standard for the Southwestern Indiana Area, and only comments germane to this matter will be considered as part of the public record.

Scott and I will be available following this hearing to address any questions you may have that do not pertain to this specific matter.

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

In the absence of any further comments, these proceedings are hereby concluded and this hearing is adjourned.

IND DEPT OF ENVIRONMENTAL MANA
MARION COUNTY, INDIANA

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

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 _____
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Tail - Number of lines _____
Total number of lines in notice _____

COMPUTATION OF CHARGES

96.0 lines 2.0 columns wide equals 192.0 equivalent lines at .458 cents per line \$ 87.94
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
TOTAL AMOUNT OF CLAIM \$ 87.94

DATA FOR COMPUTING COST

Width of single column 5.8 ems Size of type 7
Number of insertions 1.0

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 between the dates of:

02/11/2011 and 02/11/2011

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
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DATE: 02/11/2011

Title: Clerk

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LEGAL ADVERTISING

An invoice for this ad will be sent at the end of the month.
Please forward this ad to person responsible for payment.

ACCT# 80315-5772045

DATE 2-11-11 AMOUNT \$ 87.94

TO INSURE PROPER CREDIT
RETURN THIS FORM WITH REMITTANCE

THANK YOU
INDIANAPOLIS NEWSPAPERS

INDIANAPOLIS STAR AND NEWS, INDIANAPOLIS, IN

**LEGAL NOTICE OF PUBLIC HEARING
Redesignation Petition and Maintenance Plan
In Association with the Annual Fine Particle (PM2.5)
Standard**

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(S - 2/11/11 - 5772045)

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INDIANAPOLIS, IN 46204

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Total Price: \$54.07

Page 1 of 1

LEGAL NOTICE OF PUBLIC HEARING
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Plan In Association with the Annual
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Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours notification. (Courier & Press February 8, 2011)

ATTACH COPY OF ADVERTISEMENT HERE

Idem Notice (Governmental Unit)

To The Herald

Dubois County, Indiana

P.O. Box 31, Jasper, IN 47547-0031

PUBLISHER'S CLAIM

LINE COUNT

Display Master (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 100

COMPUTATION OF CHARGES

1.0 lines, 1. columns wide equals 1.0 equivalent lines at 36.32 cents per line
Additional charges for notices containing rule or tabular work (50 per cent of above amount) \$ 36.32
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 36.32

DATA FOR COMPUTING COST

Width of single column in picas 9.3 Size of type 7 point
Number of insertions 1

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:

Feb. 8, 2011

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
[X] 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.

Date Feb. 8, 2011

Signature: Day E. ... Title: CO-PUBLISHER

Warrant No. _____

IN FAVOR OF _____

\$ 36,32

ACCOUNT OF APPROPRIATION FOR _____

Notice

Appropriation No. _____

IN THE SUM OF \$ _____

I have examined the within claim and hereby certify that it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently correct
incorrect

I certify that the within claim is true and correct in all particulars and for which charge is made by me and were necessary to the public business

THE HERALD, JASPER, IN

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5547678

originally sent 3/14/11
3/29/11 mt

XI16 Indiana Department of Environmental Management
(Governmental Unit)

To EVANSVILLE COURIER & PRESS

VANDERBURGH

County, Indiana

PO Box 268, Evansville, IN 47702

PUBLISHER'S CLAIM

LINE COUNT

Display Master (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	244
Head -- number of lines	0
Body -- number of lines	244
Tail -- number of lines	0
Total number of lines in notice	244

COMPUTATION OF CHARGES

<u>244</u> lines, <u>1</u> columns wide equals <u>244</u> equivalent lines at <u>0.2277</u> cents per line	\$ 55.56
ATTACH COPY OF CLIPPING HERE 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	\$ 55.56

DATA FOR COMPUTING COST

Width of single column in picas 5p8 Size of type 7 point
 Number of insertions 1

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- Newspaper has a Web site but refuses to post the public notice.

RECEIVED

Julie Lewis

Date 2/17/11

Title Accounting Clerk

FEB 29 2011

ATTACH COPY OF ADVERTISEMENT HERE

State of Indiana
Department of Environmental Management
Office of Air Quality

OK TO PAY
C. Mitchell
me m
3-29-11

Claim No. _____ Warrant No. _____

IN FAVOR OF

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. _____

ALLOWED _____

IN THE SUM OF \$ _____

Attest

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

I certify that the within claim is true and correct; that the services there in itemized and for which charge is made were ordered by me and were necessary to the public business

EVANSVILLE COURIER AND PRESS, EVANSVILLE, IN

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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 February 15, 2011 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.

Boonville-Warrick County Public Library, 611 West Main Street, Boonville, Indiana.

Evansville Vanderburgh Public Library (Central Branch), 200 S.E. Martin Luther King, Jr. Boulevard, Evansville, Indiana

Jasper Public Library, 1116 Main Street, Jasper, Indiana

Pike County Public Library, 1104 Main Street, Petersburg, Indiana.

Spencer County Public Library, 210 Walnut Street, Rockport, Indiana.

IDEM Southwest Regional Office, 1120 North Vincennes Avenue, Petersburg, 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 March 18, 2011. Mailed comments should be addressed to:

Southwestern Indiana Area Fine Particle (PM2.5) Redesignation Petition and Maintenance Plan
Scott Deloney, Chief
Programs Branch
Office of Air Quality MC 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.

For additional information contact Mr. Shawn Seals, 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) 233-0425 or (800) 451-6027 ext. 3-0425 (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. (Courier & Press February 8, 2011)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

ORIGINAL

DATE: March 15, 2011

TIME: 5:30 P.M.

PLACE: Evansville Main Campus of
Ivy Tech Community College
Vectren Auditorium
Room 147
3501 N. First Avenue
Evansville, IN 47710

PRESENT: Mr. Shawn Seals, Hearing Officer
Mr. Scott Deloney, 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
2 Environment Management Draft Redesignation Petition and
3 Maintenance Plan in association with the annual fine
4 particulate matter standard for the Southwestern Indiana
5 Area meeting was held in the Vectren Auditorium, Room 147 at
6 the Evansville Main Campus of the Ivy Tech Community
7 College, located at 3501 N. First Avenue, Evansville, IN at
8 5:30 P.M. on March 15, 2011.

9
10 **OPENING STATEMENT BY MR. SHAWN SEALS:**

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

19
20 My name is Shawn Seals. I am a Senior
21 Environmental Manager in the Planning Section of the Indiana
22 Department of Environmental Management's Office of Air
23 Quality. I have been appointed to act as hearing officer for
24 this public hearing. Also, here with me from the Office of
25 Air Quality is Scott Deloney, of the Air Programs Branch.

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

- 4
- 5 1) The Indianapolis Star, Indianapolis, Indiana
 - 6 2) The Evansville Courier, Evansville, Indiana
 - 7 3) The Herald, Jasper, Indiana

8

9 The purpose of this public hearing is to
10 provide interested persons an opportunity to offer comments
11 to the State regarding the Draft Redesignation Petition and
12 Maintenance Plan in association with the annual fine
13 particulate matter standard for the Southwestern Indiana
14 Area.

15

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

1 Any person who is heard or represented at this
2 hearing or who requests notice may be given written notice
3 of the final action taken on this State Implementation Plan
4 submittal. Please indicate on the appearance card if you
5 wish to receive this notification. When appearance cards
6 have been completed, they should be handed to Scott and we
7 will include them with the official record of this
8 proceeding.

9
10 Oral statements will be heard, but written
11 statements may be handed to me or Scott, or these statements
12 can be mailed to the Office of Air Quality on or before
13 close of business on March 18, 2011. A written transcript of
14 this hearing is being made. The transcript will be open for
15 public inspection and a copy of the transcript will be made
16 available to any person upon payment of the copying cost.

17
18 After the conclusion of this public hearing, I
19 will prepare a written report summarizing the comments
20 received at this hearing and recommending changes which may
21 need to be made to this document.

22
23 I would like to introduce the following
24 documents into the record:

- 25 1) The notice of public hearing.

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2) And the Draft Request for Redesignation and Maintenance Plan under the Annual National Ambient Air Quality Standard for Fine Particles for the Southwestern Indiana Area.

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

In 1997, the United States Environmental Protection Agency (U.S. EPA) set daily and annual ambient air quality standards for fine particles at 15.0 micrograms per cubic meter on an annual basis and at 65.0 micrograms per cubic meter on a 24-hour or daily basis.

Legal challenges to the new standards for fine particles resulted in delayed implementation of the standard until February 2001, when the Supreme Court upheld the standard and ruled that the U.S. EPA could proceed with implementation of the new standards. Indiana began monitoring for fine particles in 1999. The U.S. EPA originally designated counties under the fine particle standards based on 2001 through 2003 monitoring data in December of 2004. The U.S. EPA designated areas throughout the country as attainment, nonattainment, or unclassifiable. However, the U.S. EPA withdrew a number of counties

1 identified as nonattainment based on updated monitoring data
2 for 2002 through 2004 prior to the effective date of
3 designations, which was April 5, 2005, based on the fact
4 that those counties had met the standard at the close of
5 2004.

6
7 As required by the Clean Air Act, in 2006 the
8 U.S. EPA reviewed the annual and daily standard for fine
9 particles to verify that the current National Ambient Air
10 Quality Standards (NAAQS) continued to be protective of
11 human health. Through this detailed review process, the U.S.
12 EPA determined that the 1997 annual standard for fine
13 particles was adequately protective of human health, but
14 that the daily standard needed to be revised. It should be
15 noted that this public hearing is solely related to the
16 Redesignation Petition and Maintenance Plan in association
17 with the ANNUAL fine particulate matter standard as it
18 applies to the Southwestern Indiana Area.

19
20 The following information is taken from U.S.
21 EPA's "Guideline on Data Handling Conventions for the PM
22 NAAQS," U.S. EPA-454/R-99-008, April 1999. Three complete
23 years of fine particles monitoring data are required to
24 demonstrate attainment at a monitoring site. The annual
25 ambient air quality standard for fine particles is met at an

1 ambient air quality monitoring site when the three year
2 average of the annual average of fine particle
3 concentrations is less than or equal to 15.0 micrograms per
4 cubic meter. When this occurs, according to the U.S. EPA,
5 the area is in compliance with the standard. Three
6 significant digits must be carried in the computations and
7 values are rounded to the nearest 0.1 micrograms per cubic
8 meter. Round decimals of 0.05 or greater upward and those
9 less than 0.05 downward, 15.049 micrograms per cubic meter
10 is the largest concentration that is less than, or equal to
11 15.0 micrograms per cubic meter. Therefore, for the purposes
12 of this request, the annual fine particles standard is
13 considered to be 15.0 micrograms per cubic meter. Values at
14 or below 15.0 micrograms per cubic meter meet the standard;
15 values equal to or greater than 15.1 micrograms per cubic
16 meter exceed the standard. The design value represents fine
17 particular concentrations that are below the national
18 ambient air quality standard, thus the area is eligible to
19 be redesignated to attainment under the annual fine particle
20 standard and classified as maintenance. Being classified as
21 a maintenance area means that the State has to ensure that
22 the overall emissions inventory does not exceed the current
23 levels, and that regulatory decisions do not interfere with
24 the area's ability to maintain compliance with the standard.

25

1 At the conclusion of 2006, the design value
2 for the area, based on 2004 through 2006 monitoring data,
3 was 15.0 micrograms per cubic meter. From 2005 through 2007
4 monitoring data held steady at 15.0 micrograms per cubic
5 meter. Data from 2006 through 2008 showed an improvement in
6 air quality with monitor values dropping to 13.7 micrograms
7 per cubic meter. Finally from 2007 through 2009, monitor
8 values dropped even further to 13.2 micrograms per cubic
9 meter. The design values for all of these years are included
10 in this redesignation SIP.

11
12 The Southwestern Indiana Area has complied
13 with the annual standard for PM2.5 for four consecutive
14 years, with values that are now well below the standard.
15 Furthermore, photochemical modeling conducted by the State
16 of Indiana, the Midwest Regional Planning Organization, and
17 the U.S. EPA demonstrates that beginning in 2011, the
18 Southwestern Indiana Area will benefit greatly from the
19 implementation of U.S. EPA's proposed Clean Air Transport
20 Rule, with projected design values well below the standard
21 and providing for an ample margin of safety. These modeling
22 results are considered to be conservative, as they do not
23 include emission reductions that will occur as a result of
24 several federal control programs including substantial off-
25 road diesel fuel and engine reductions.

1 To meet the regulatory requirements put forth
2 by U.S. EPA in relation to National Ambient Air Quality
3 Standards, IDEM was required to submit a State
4 Implementation Plan (also known as an attainment SIP) no
5 later than April 5th of 2008. In lieu of an attainment SIP
6 that verifies to the U.S. EPA that the area is "on target"
7 to meet the annual National Ambient Air Quality Standard for
8 fine particles based on monitoring and modeling information,
9 IDEM deemed it more appropriate to submit a redesignation
10 SIP that demonstrates that the area has already met the
11 standard. On April 3, 2008, IDEM submitted a redesignation
12 SIP to U.S. EPA for review and approval including a
13 maintenance plan horizon year of 2020. The U.S. EPA has not
14 been able to act on the 2008 redesignation SIP due to a
15 federal court's remand of the Clean Air Interstate Rule.
16 This remand prevents the U.S. EPA from deeming the emission
17 reductions that aided this area in attaining the standard as
18 being permanent and enforceable. As such, the U.S. EPA did
19 not wish to proceed with approval of IDEM's 2008 submittal
20 until a replacement rule is in place for the Clean Air
21 Interstate Rule. On July 6, 2010, the U.S. EPA proposed a
22 replacement rule referred to as the Clean Air Transport Rule.
23 This rule will be finalized this summer and at that time,
24 the U.S. EPA will be able to proceed with approving
25 redesignations. As for the 2008 submittal, the maintenance

1 plan horizon year of 2020 is no longer at least 10 years
2 from the date of potential U.S. EPA approval. As such, IDEM
3 is now submitted this updated redesignation SIP with a
4 maintenance plan horizon year of 2022 as a direct
5 replacement to the submittal from April of 2008.

6
7 It is important to note that U.S. EPA viewed
8 IDEM's 2008 submittal for the Southwestern Indiana Area to
9 be valid until such time that the Clean Air Interstate Rule
10 was remanded. Since that time, air quality has improved even
11 further within the region and a replacement rule for the
12 Clean Air Interstate Rule will soon be in place.

13
14 The Indiana Department of Environmental
15 Management has prepared this Draft Request for Redesignation
16 and Maintenance Plan under the Annual National Ambient Air
17 Quality Standard for Fine Particles for the Southwestern
18 Indiana Area consistent with U.S. EPA guidance. The draft
19 petition outlines a demonstration that the area has attained
20 the standard based on monitored concentrations, and that the
21 reductions in monitored concentrations are attributable to
22 permanent and enforceable regional reductions in precursor
23 emissions, specifically reductions of oxides of nitrogen and
24 sulfur dioxide. Furthermore, the draft maintenance plan
25 outlines the following:

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- Regional precursor emissions of oxides of nitrogen and sulfur dioxide will 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 improve further 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 mobile source budget for transportation conformity purposes.
- A commitment to adopt and expeditiously implement necessary corrective actions if a warning or action level response is triggered.
 - o An action level response is triggered by a violation of the standard 3-year average of 15.1 micrograms per cubic meter.

This concludes my comments regarding the Draft Request for Redesignation and Maintenance Plan under the Annual National Ambient Air Quality Standard for Fine Particles for Southwestern Indiana. Before opening this hearing for public comments, may I once again remind you

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that this hearing pertains solely to this Draft Redesignation Petition and Maintenance Plan in association with the annual fine particle standard for the Southwestern Indiana Area, and only comments germane to this matter will be considered as part of the public record.

Scott and I will be available following this hearing to address any questions you may have that do not pertain to this specific matter.

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

MR. SCOTT DELONEY:

I received no comment cards.

MR. SHAWN SEALS:

We have received no comments cards at this time. Once again are there any public comments? In the absence of any comments these proceedings are hereby concluded and this hearing is adjourned. Thank you all for coming.

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C E R T I F I C A T E

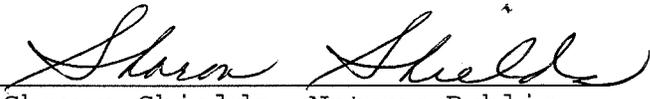
STATE OF INDIANA)
) SS:
COUNTY OF JEFFERSON)

I, Sharon Shields, do hereby certify that I am a Notary Public in and for the County of Jefferson, State of Indiana, duly authorized and qualified to administer oaths; That the foregoing public hearing was taken by me in shorthand and on a tape recorder on March 15, 2011 at the Vectren Auditorium, Room 147 at the Evansville Main Campus of the Ivy Tech Community College, located at 3501 N. First Avenue, Evansville, IN; That this public hearing was taken on behalf of the Indiana Department of Environmental Management pursuant to agreement for taking at this time and place; That the testimony of the witnesses was reduced to typewriting by me and contains a complete and accurate transcript of the said testimony.

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

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WITNESS my hand and notarial seal this 21st day of
March, 2011.



Sharon Shields, Notary Public
Jefferson County, State of Indiana

My Commission Expires:
July 2, 2015