

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NONRULE POLICY DOCUMENT**

Title: **Extension for Non-Major Source Part 70 Permit Applications**

Identification Number: **AIR-026-NPD**

Date Effective: **November 3, 2000**

Dates Revised: **None**

Other Policies Repealed or Amended: **None**

Brief Description of Subject Matter: **Extension of application deadline for Part 70 permits for non-major (area) sources subject to the following federal National Emission Standards for Hazardous Air Pollutants (NESHAP):**

- (1) Hard and decorative chromium electroplating and chromium anodizing tanks (40 CFR Subpart N);**
- (2) Ethylene oxide commercial sterilization and fumigation operations (40 CFR 63, Subpart O);**
- (3) Perchloroethylene dry cleaning facilities (40 CFR 63, Subpart M);**
- (4) Halogenated solvent cleaning machines (40 CFR 63, Subpart T);**
- (5) Secondary lead smelting (40 CFR 63, Subpart X); and**
- (6) Secondary aluminum production (40 CFR 63, Subpart RRR).**

Citations Affected: **326 IAC 20-5-1; 20-6-1; 20-7-1; 20-8-1; and 20-13-1**

This nonrule policy document is intended solely as guidance and does not have the effect of law or represent formal Indiana Department of Environmental Management (IDEM) decisions or final actions. This nonrule policy document shall be used in conjunction with applicable laws.

It does not replace applicable laws, and if it conflicts with these laws, the laws shall control.

This nonrule policy document may be put into effect by IDEM thirty days after presentation to the appropriate board and after it is made available to public inspection and comment, pursuant to IC 13-14-1-11.5. If the nonrule policy is presented to more than one board, it will be effective thirty days after presentation to the last. IDEM will submit the policy to the Indiana Register for publication. Revisions to the policy will follow the same procedure of presentation to the board and publication.

The purpose of this nonrule policy document is to clarify enforcement policy with respect to 326 IAC 2-7-4(a) as it applies to area sources in the source categories identified above. As per 61 FR 27785 (June 3, 1996), area sources in the aforementioned source categories, excluding secondary aluminum production, had been granted a deferral from the Part 70 permit application deadline until December 9, 2000. U.S. EPA has granted permitting authorities discretion to extend the application deadline until December 9, 2005, pursuant to an amendment to 40 CFR Part 63, Subparts M, N, O, T and X, published in the Federal Register at 64 FR 69637 (December 14, 1999).

In addition to the source categories included in the December 14, 1999 Federal Register notice, U.S. EPA has granted permitting authorities similar discretion with respect to area sources subject to the Secondary Aluminum Production NESHAP, 40 CFR 63, Subpart RRR, published in the Federal Register at 65 FR 15689 (March 22, 2000).

IDEM has decided to exercise this discretion as it applies to the aforementioned source categories and hereby extends the deadline for Part 70 permit applications to December 9, 2005. IDEM will not issue a notice of violation (NOV) or take other enforcement action against area sources in the aforementioned source categories for failure to submit a Part 70 permit application by December 9, 2000.

This policy will remain in effect until December 9, 2005.

If you have any questions concerning this policy, please contact:

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Copies of this policy will be on file after October 4, 2000 at the Office of Air Management, Indiana Department of Environmental Management, Indiana Government Center-North, 100 North Senate Avenue, Twelfth Floor File Room, Indianapolis, Indiana and are open for public inspection.

This policy, along with other nonrule policy documents, can also be found online at www.state.in.us/idem/oam/nrpd.