

326 IAC 1-2-32.1 *	"Gooseneck cap" definition.
326 IAC 1-2-34.1 *	"Jumper pipe" definition.
326 IAC 1-2-62.1 *	"Quench car" definition.
326 IAC 1-2-63.1 *	"Quench reservoir" definition.
326 IAC 1-2-63.2 *	"Quench tower" definition.
326 IAC 5-1-1 *	Applicability of rule.
326 IAC 5-1-2 *	Visible emission limitations.
326 IAC 5-1-3 *	Temporary exemptions.
326 IAC 5-1-4 *	Compliance determination.
326 IAC 5-1-5 *	Violations.
326 IAC 5-1-7 *	State implementation plan revisions.
326 IAC 6-1-10.1 (a-k)	Lake County PM10 emissions requirements.
326 IAC 6-1-10.2	Lake County PM10 coke battery emissions requirements.
326 IAC 6-1-11.1	Lake County fugitive particulate matter control requirements.
326 IAC 11-3-2 (a-f and i) *	Emission limitations.
326 IAC 11-3-4 *	Compliance determination.

While some of these rules apply strictly to Lake County, others (marked above with an asterisk) are intended to have state-wide applicability. The USEPA is approving the rules marked above with an asterisk for the entire state of Indiana. The other rules are being approved for sources in Lake County only.

The limitations on point sources in Lake County include source-specific emissions limits in terms of pounds per ton (lb/ton), pounds per hour (lbs/hr), pounds per Million British Thermal Units (lb/MMBTU), and grains per dry standard cubic foot (gr/dscf). There are also source-specific opacity limits ranging from 5-20 percent on certain sources in the nonattainment area. Other limitations on point sources include emission limits on coke ovens located in Lake County and a general 20 percent opacity limit for all sources in the nonattainment area. Limitations on sources of fugitive emissions in Lake County include a 10 percent opacity limit for paved roads and parking lots, unpaved roads and parking lots, and wind erosion from storage piles.

Indiana also submitted air quality modeling which shows that the Lake County PM nonattainment area will attain the 24-hour PM standard. The highest sixth high predicted 24-hour concentration is 149.9 $\mu\text{g}/\text{m}^3$ (the 24-hour PM standard is 150 $\mu\text{g}/\text{m}^3$). The final modeling also predicts attainment of the annual PM standard. The highest 5-year average predicted PM concentration is 47.7 $\mu\text{g}/\text{m}^3$ (the standard is 50 $\mu\text{g}/\text{m}^3$). In addition, a preliminary review of the available monitored air quality data for the Lake County area shows that this area is attaining the NAAQS.

The USEPA proposed approval of and solicited public comments on this SIP revision request on March 31, 1995. The public comment period ended on May 1, 1995, and no comments were received.

Final Rulemaking Action

The USEPA is approving the plan revision submitted to USEPA by the State of Indiana on June 16, 1993, and supplemented on December 9, 1993, September 8, 1994, and November 17, 1994, for the Lake County PM nonattainment area. Among other things, the State of Indiana has demonstrated through modeling that the Lake County moderate PM nonattainment area will attain the PM NAAQS. In addition, a preliminary review of the monitored air quality data for the Lake County area shows that this area is attaining the NAAQS.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The OMB has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 14, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See Section 307(b)(2) of the Act.)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: May 8, 1995.

David A. Ullrich,
Acting Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart P—Indiana

2. Section 52.770 is amended by adding paragraph (c)(99) to read as follows:

§ 52.770 Identification of plan.

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(c) * * *

(99) On June 16, 1993, December 9, 1993, September 8, 1994, and November 17, 1994, Indiana submitted a part D particulate matter (PM) nonattainment area plan for the Lake County moderate nonattainment area.

(i) Incorporation by reference.

(A) Indiana Administrative Code Title 326: Air Pollution Control Board, Article 1: General Provisions, Rule 2: Definitions, Section 32.1: "Gooseneck cap" definition, Section 34.1: "Jumper pipe" definition, Section 62.1: "Quench car" definition, Section 63.1: "Quench reservoir" definition, and Section 63.2: "Quench tower" definition. Added at 16 *Indiana Register* 2363, effective June 11, 1993.

(B) Indiana Administrative Code Title 326: Air Pollution Control Board, Article 5: Opacity Regulations, Rule 1: Opacity Limitations, Section 1: Applicability of rule, Section 2: Visible emissions limitations, Section 3: