



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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March 10, 2005

Ms Genevieve Damico
Air Permits Section
U.S. Environmental Protection Agency
77 West Jackson Boulevard, AR 18J
Chicago, Illinois 60604

Re: Delegation of Section 112 Standards

Dear Genevieve,

Last year IDEM submitted a request for approval of Section 112(l) delegation for certain listed NESHAPs that had been adopted as state rules. At that time you indicated that EPA had not done the best job describing what had been delegated in 1997. In particular the pre-August 1997 MACTs were not listed as being delegated and the delegation mechanism would seem to be limited to non-Part 70 MACTs.

Enclosed are copies of the delegation correspondence, federal approvals (for both part 70 and non-part 70 sources), and a briefing memo concerning delegated authority; section 112 rules and programs (dated August 31, 2000) that Mike Brooks prepared for Kathy Watson for Indiana's Section 112(l) program. Based on these documents it appears to me that Indiana requested delegation for all federally adopted NESHAPs and has communicated to EPA all those NESHAPs that have been incorporated into state rules. If after reviewing these documents your concern remains, please tell me specifically what needs to be done to assure that the full delegation is affirmed.

Sincerely,

Patricia Troth, Chief
Rule Development Section
Office of Air Quality

Enclosures:

Delegation correspondence:

- Letter (date missing) to David Kee from Felicia George
- Letter dated 2/07/96 to David Kee, from Felicia George
- Letter dated 4/11/95 to Timothy J. Method from Stephen Rothblatt

~~Letter dated 5/15/95 to Stephen Rothblatt from Timothy J. Method including a list of
Indian Air Toxics rules
Letter dated 5/25/95 from Stephen Rothblatt to Timothy J. Method
Indiana Attorney General's Opinion dated 7/21/94
List of Section 112 Rule Implementation Activities
List of Indiana Air Toxics Rules~~

Federal approvals:

Approval of Section 112(l) Program of Delegation; Indiana. 62 FR 36460. July 8, 1997.
TSD from Sam Portanova dated 1/16/97 in support of FR notice.

Copy of FR notice from Sam Portanova dated 1/16/97.

Clean Air Act Final Interim Approval of Operating Permits Program; Indiana. 60 FR
57188. November 14, 1995.

Approval and Promulgation of Implementation Plans; Indiana. 60 FR 43008. August 18,
1995.

Memorandum to Kathy Watson from Mike Brooks dated August 31, 2000.

Issue Brief dated November 30, 1999.

Approval of Section 112(l) Delegation of Maximum Achievable Control Technology
Standards; Indiana. 65 FR 17264. March 31, 2000.

Attachment: Section 112 standards delegated automatically for Part 70 sources.

Cc: John Mooney
Sam Portanova
NESHAP file