POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Permits and General Provisions

2) Code Citation: 35 Ill. Adm. Code 201

3) Section Number: 201.146 Proposed Action: Amend

4) Statutory Authority: Implementing Sections 10, 39, and 39.5 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27, 28, 39, and 39.5]

5) A Complete Description of the Subjects and Issues Involved: For a more detailed discussion of these amendments, see the Board's September 16, 2008 opinion and order in docket R07-19: In the Matter of: Section 27 Proposed Rules for Nitrogen Oxide (NO_x) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code 201.146 and Parts 211 and 217. After filing its original rulemaking proposal on April 6, 2007, the Illinois Environmental Protection Agency (Agency) on December 20, 2007 filed a motion to proceed with an amended proposal. In an order dated January 10, 2008, the Board granted that motion.

In its motion to proceed with an amended proposal, the Agency indicated that it intended to control NO_x emissions from engines and turbines located at 100 ton per year sources located in the Greater Chicago and Metro East/St. Louis nonattainment areas with a capacity at or greater than 500 brake horsepower (bhp) or 3.5 megawatts (MW). The Agency stated that its proposed regulations would help Illinois to meet Clean Air Act (CAA) requirements for NO_x reasonably available control technology (RACT) under the under the eight-hour National Ambient Air Quality Standard (NAAQS) for ozone and would also improve air quality by reducing precursors of fine particulate matter ($PM_{2.5}$).

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Agency's motion to proceed with an amended proposal included the Agency's *Amended Technical Support Document for Controlling NO_x Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines R07-19* (TSD), which relied on several published studies and reports. Copies of the reports that the IEPA relied upon are available for review at the Board's Chicago office, and are listed below.

1. National Ambient Air Quality Standards for Ozone, 62 Fed. Reg. 38855, July 18, 1997 (Ozone Standards).

2. National Ambient Air Quality Standards for Particulate Matter, 62 Fed. Reg. 38652, July 18, 1997 ($PM_{2.5}$ Standards).

3. Air Quality Designations and Classifications for Fine Particles ($PM_{2.5}$) National Ambient Air Quality Standards, 70 Fed. Reg. 943, January 5, 2005.

4. 8-hour Ozone National Ambient Air Quality Standards, 69 Fed. Reg. 23858, April 30, 2004.

5. Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard, 70 Fed. Reg. 71612, November 29, 2005.

6. Clean Air Fine Particle Implementation; Final Rule, 40 CFR 51, April 25, 2007.

7. Controlling Nitrogen Oxides Under the Clean Air Act: A Menu of Options, July 1994, State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials.

8. Alternative Control Techniques Document – NO_x Emissions from Stationary Reciprocating Internal Combustion Engines EPA-453/R-93-032, July 1993, USEPA, OAQPS, RTP, NC 27711.

9. Alternative Control Techniques Document – NO_x Emissions from Stationary Gas Turbines, EPA-453/R-93-007, January 1993, USEPA, OAQPS, Research Triangle Park, NC 27711

10. Stationary Reciprocating Internal Combustion Engines, Updated Information on NO_x Emissions and Control Techniques, Revised Final Report, EPA Contract No. 68-D-026, Work Assignment No. 2-28, EC/R Project No. ISD-228, September 1, 2000.

11. Texas Administrative Code. Title 30, Rule 106.512: Stationary Engines and Turbines

12. Indiana Department of Environmental Management, Office of Air Quality, Section 9.326 IAC 10-5. Rule 5 Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE).

13. Document Prepared by the State of Connecticut, Department of Environmental Protection. Sec. 22a-174-22 Control of Nitrogen Oxides Emissions.

14. Alabama Department of Environmental Management, Air Division, Chapter 335-

3-8, Nitrogen Oxides Emissions.

15. New York State, Department of Environmental Conservation Rule and Regulations, Subpart 227.2, Reasonable Available Control Technology (RACT) for Oxides of Nitrogen (NO_x).

16. New Jersey State Department of Environmental Protection, New Jersey Administrative Code Title 7, Chapter 27, Subchapter 19: Control and Prohibition of Air Pollution from Oxides of Nitrogen.

17. Pennsylvania Department of Environmental Protection, Air Quality Regulations, Small Source of NO_x Cement Kilns and Large Internal Combustion Engines, 25 PA Code CHS 121,129 and 145.

18. Code of Maryland Regulations. Title 26 Department of the Environment. Subtitle 11 Air Quality, Chapter 09: Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installation.

19. Antelope Valley Air Quality Management District. Rule 1110.2: Emissions from Stationary, Non-Road & Portable Internal Combustion Engines.

20. San Joaquin Valley Unified Air Pollution Control District Rule 4702: Internal Combustion Engines – Phase 2.

21. El Dorado County Air Pollution Control District Rule 233: Stationary Internal Combustion Engines.

22. Interstate Ozone Transport: Response to Court Decisions on the NO_x SIP Call, NO_x SIP Call Technical Amendments, and Section 126 Rules; Final Rule. 69 Fed. Reg. 21603, April 21, 2004.

23. South Coast Air Quality Management District, Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines.

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

POLLUTION CONTROL BOARD

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10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R07-19 and be addressed to:

John Therriault, Chief Clerk
Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312/814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: The proposed rulemaking requires the owner or operator of an affected source to perform emissions monitoring, complete required tests, and maintain records and reports.

C) Types of Professional skills necessary for compliance: No professional skills beyond those currently required by the existing State and federal air pollution control regulations applicable to affected sources will be required.

14) Regulatory Agenda on which this rulemaking was summarized: January 2007

The full text of the Proposed Amendment begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 201
PERMITS AND GENERAL PROVISIONS

SUBPART A: DEFINITIONS

Section
201.101 Other Definitions
201.102 Definitions
201.103 Abbreviations and Units
201.104 Incorporations by Reference

SUBPART B: GENERAL PROVISIONS

Section
201.121 Existence of Permit No Defense
201.122 Proof of Emissions
201.123 Burden of Persuasion Regarding Exceptions
201.124 Annual Report
201.125 Severability
201.126 Repealer

SUBPART C: PROHIBITIONS

Section
201.141 Prohibition of Air Pollution
201.142 Construction Permit Required
201.143 Operating Permits for New Sources
201.144 Operating Permits for Existing Sources
201.146 Exemptions from State Permit Requirements
201.147 Former Permits
201.148 Operation Without Compliance Program and Project Completion Schedule
201.149 Operation During Malfunction, Breakdown or Startups
201.150 Circumvention
201.151 Design of Effluent Exhaust Systems

SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS

Section
201.152 Contents of Application for Construction Permit
201.153 Incomplete Applications (Repealed)
201.154 Signatures (Repealed)
201.155 Standards for Issuance (Repealed)
201.156 Conditions
201.157 Contents of Application for Operating Permit
201.158 Incomplete Applications
201.159 Signatures
201.160 Standards for Issuance
201.161 Conditions
201.162 Duration
201.163 Joint Construction and Operating Permits
201.164 Design Criteria
201.165 Hearings

201.166 Revocation
201.167 Revisions to Permits
201.168 Appeals from Conditions
201.169 Special Provisions for Certain Operating Permits
201.170 Portable Emission Units

SUBPART E: SPECIAL PROVISIONS FOR OPERATING PERMITS FOR CERTAIN SMALLER SOURCES

Section
201.180 Applicability (Repealed)
201.181 Expiration and Renewal (Repealed)
201.187 Requirement for a Revised Permit (Repealed)

SUBPART F: CAAPP PERMITS

Section
201.207 Applicability
201.208 Supplemental Information
201.209 Emissions of Hazardous Air Pollutants
201.210 Categories of Insignificant Activities or Emission Levels
201.211 Application for Classification as an Insignificant Activity
201.212 Revisions to Lists of Insignificant Activities or Emission Levels

SUBPART G: EXPERIMENTAL PERMITS (Reserved)

SUBPART H: COMPLIANCE PROGRAMS AND PROJECT COMPLETION SCHEDULES

Section
201.241 Contents of Compliance Program
201.242 Contents of Project Completion Schedule
201.243 Standards for Approval
201.244 Revisions
201.245 Effects of Approval
201.246 Records and Reports
201.247 Submission and Approval Dates

SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS

Section
201.261 Contents of Request for Permission to Operate During a Malfunction, Breakdown or Startup
201.262 Standards for Granting Permission to Operate During a Malfunction, Breakdown or Startup
201.263 Records and Reports
201.264 Continued Operation or Startup Prior to Granting of Operating Permit
201.265 Effect of Granting of Permission to Operate During a Malfunction, Breakdown or Startup

SUBPART J: MONITORING AND TESTING

Section
201.281 Permit Monitoring Equipment Requirements
201.282 Testing
201.283 Records and Reports

SUBPART K: RECORDS AND REPORTS

Section
201.301 Records
201.302 Reports

SUBPART L: CONTINUOUS MONITORING

Section
201.401 Continuous Monitoring Requirements
201.402 Alternative Monitoring
201.403 Exempt Sources
201.404 Monitoring System Malfunction
201.405 Excess Emission Reporting
201.406 Data Reduction
201.407 Retention of Information
201.408 Compliance Schedules

201.APPENDIX A Rule into Section Table
201.APPENDIX B Section into Rule Table
201.APPENDIX C Past Compliance Dates

AUTHORITY: Implementing Sections 10, 39, and 39.5 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28.5, 39, and 39.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. 21483, effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17 at 21 Ill. Reg. 7878, effective June 17, 1997; amended in R98-13 at 22 Ill. Reg. 11451, effective June 23, 1998; amended in R98-28 at 22 Ill. Reg. 11823, effective July 31, 1998; amended in R02-10 at 27 Ill. Reg. 5820, effective March 21, 2003; amended in R05-19 and R05-20 at 30 Ill. Reg. 4901, effective March 3, 2006; amended in R07-19 at 33 Ill. Reg. _____, effective _____.

SUBPART C: PROHIBITIONS

Section 201.146 Exemptions from State Permit Requirements

Construction or operating permits, pursuant to Sections 201.142, 201.143 and 201.144 of this Part, are not required for the classes of equipment and activities listed below in this Section. The permitting exemptions in this Section do not relieve the owner or operator of any source from any obligation to comply with any other applicable requirements, including the obligation to obtain a permit pursuant to Sections 9.1(d) and 39.5 of the Act, ~~Sections~~sections 165, 173 and 502 of the Clean Air Act or any other applicable permit or registration requirements.

a) Air contaminant detectors or recorders, combustion controllers or combustion shutoffs;

b) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;

c) Each fuel burning emission unit for indirect systems and for heating and reheating furnace systems used exclusively for residential, or commercial establishments using gas and/or fuel oil exclusively with a design heat input capacity of less than 14.6 MW (50 mmbtu/hr), except that a permit shall be required for any such emission unit with a design heat input capacity of at least 10 mmbtu/hr that was constructed, reconstructed or modified after June 9, 1989 and that is subject to 40 CFR 60, ~~Subpart D;~~ subpart D;

d) Each fuel burning emission unit other than those listed in subsection (c) of this Section for direct systems used for comfort heating purposes and indirect heating systems with a design heat input capacity of less than 2930 kW (10 mmbtu/hr);

e) Internal combustion engines or boilers (including the fuel system) of motor vehicles, locomotives, air craft, watercraft, lifttrucks and other vehicles powered by nonroad engines;

f) Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated laboratory fume hoods, vacuum producing devices and control devices installed primarily to address potential accidental releases;

g) Coating operations located at a source using not in excess of 18,925 ~~l~~1 (5,000 gal) of coating (including thinner) per year;

h) Any emission unit acquired exclusively for domestic use, except that a permit shall be required for any incinerator and for any fuel combustion emission unit using solid fuel with a design heat input capacity of 14.6 MW (50 mmbtu/hr) or more;

i) Any stationary internal combustion engine with a rated power output of less than 1118 kW (1500 ~~bhphorsepower~~bhp) or stationary turbine, except that a permit shall be required for the following:

1) Any internal combustion engine with a rating at equal to or greater than 500 bhp output that is subject to the control requirements of 35 Ill. Adm. Code ~~Part~~ 217.388(a) or (b); or

2) ~~Anyany~~Any stationary gas turbine engine with a rated heat input at peak load of 10.7 gigajoules/hr (10 mmbtu/hr) or more that is constructed, reconstructed or modified after October 3, 1977 and that is subject to requirements of 40 CFR 60, ~~Subpart~~subpart GG;

j) Rest room facilities and associated cleanup operations, and stacks or vents used to prevent the escape of sewer gases through plumbing traps;

k) Safety devices designed to protect life and limb, provided that a permit is not otherwise required for the emission unit with which the safety device is associated;

l) Storage tanks for liquids for retail dispensing except for storage tanks that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);

m) Printing operations with aggregate organic solvent usage that never exceeds 2,839 l (750 gal) per year from all printing lines at the source, including organic solvent from inks, dilutents, fountain solutions and cleaning materials;

n) Storage tanks of:

1) Organic liquids with a capacity of less than 37,850 l (10,000 gal), provided the storage tank is not used to store any material listed as a hazardous air pollutant pursuant to ~~Section~~section 112(b) of the Clean Air Act, and provided the storage tank is not subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);

2) Any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials; or

3) Any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil or residual fuel oils;~~.~~

o) Threaded pipe connections, vessel manways, flanges, valves, pump seals, pressure relief valves, pressure relief devices and pumps;

p) Sampling connections used exclusively to withdraw materials for testing and analyses;

q) All storage tanks of Illinois crude oil with capacity of less than 151,400 ~~l~~l (40,000 gal) located on oil field sites;

r) All organic material-water single or multiple compartment effluent water separator facilities for Illinois crude oil of vapor pressure of less than 34.5 kPa absolute (5 psia);

s) Grain-handling operations, exclusive of grain-drying operations, with an annual grain through-put not exceeding 300,000 bushels;

t) Grain-drying operations with a total grain-drying capacity not exceeding 750 bushels per hour for 5% moisture extraction at manufacturer's rated capacity, using the American Society of Agricultural Engineers Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers;

u) Portable grain-handling equipment and one-turn storage space;

v) Cold cleaning degreasers that are not in-line cleaning machines, where the vapor pressure of the solvents used never exceeds 2 kPa (15 mmHg or 0.3 psi) measured at 38~~?~~°C (100~~?~~°F) or 0.7 kPa (5 mmHg or 0.1 psi) at 20~~?~~°C (68~~?~~°F);

w) Coin-operated dry cleaning operations;

x) Dry cleaning operations at a source that consume less than 30 gallons per month of perchloroethylene;

y) Brazing, soldering, wave soldering or welding equipment, including associated ventilation hoods;

z) Cafeterias, kitchens, and other similar facilities, including smokehouses, used for preparing food or beverages, but not including facilities used in the manufacturing and wholesale distribution of food, beverages, food or beverage products, or food or beverage components;

aa) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals (other than beryllium), plastics, concrete, rubber, paper stock, wood or wood products, where such equipment is either:

1) Used for maintenance activity;

2) Manually operated;

3) Exhausted inside a building; or

4) Vented externally with emissions controlled by an appropriately operated cyclonic inertial separator (cyclone), filter, electro-static precipitor or a scrubber;

bb) Feed mills that produce no more than 10,000 tons of feed per calendar year, provided that a permit is not otherwise required for the source pursuant to Section 201.142, 201.143 or 201.144;

cc) Extruders used for the extrusion of metals, minerals, plastics, rubber or wood, excluding:

1) Extruders used in the manufacture of polymers;

2) Extruders using foaming agents or release agents that contain volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act; and

3) Extruders processing scrap material that was produced using foaming agents containing volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act;

dd) Furnaces used for melting metals, other than beryllium, with a brim full capacity of less than 450 cubic inches by volume;

ee) Equipment used for the melting or application of less than 22,767 kg/yr (50,000 lbs/yr) of wax to which no organic solvent has been added;

ff) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;

gg) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;

hh) Equipment used for the mixing and blending of materials at ambient temperatures to make water based adhesives, provided each material mixed or blended contains less than 5% organic solvent by weight;

ii) Die casting machines where a metal or plastic is formed under pressure in a die located at a source with a through-put of less than 2,000,000 lbs of metal or plastic per year, in the aggregate, from all die casting machines;

jj) Air pollution control devices used exclusively with other equipment that is exempt from permitting, as provided in this Section;

kk) An emission unit for which a registration system designed to identify sources and emission units subject to emission control requirements is in place, such as the registration system found at 35 Ill. Adm. Code 218.586 (Gasoline Dispensing Operations - Motor Vehicle Fueling Operations) and 35 Ill. Adm. Code 218, Subpart HH (Motor Vehicle Refinishing);

ll) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy;

mm) Equipment used for hydraulic or hydrostatic testing;

nn) General vehicle maintenance and servicing activities conducted at a source, motor vehicle repair shops, and motor vehicle body shops, but not including:

1) Gasoline fuel handling; and

2) Motor vehicle refinishing;

oo) Equipment using water, water and soap or detergent, or a suspension of abrasives in water for purposes of cleaning or finishing, provided no organic solvent has been added to the water;

pp) Administrative activities including, but not limited to, paper shredding, copying, photographic activities and blueprinting machines. This does not include incinerators;

qq) Laundry dryers, extractors, and tumblers processing that have been cleaned with water solutions of bleach or detergents that are:

1) Located at a source and process clothing, bedding and other fabric items used at the source, provided that any organic solvent present in such items before processing that is retained from cleanup operations shall be addressed as part of the VOM emissions from use of cleaning materials;

2) Located at a commercial laundry; or

3) Coin operated;

rr) Housekeeping activities for cleaning purposes, including collecting spilled and accumulated materials, including operation of fixed vacuum cleaning systems specifically for such purposes, but not including use of cleaning materials that contain organic solvent;

ss) Refrigeration systems, including storage tanks used in refrigeration systems, but excluding any combustion equipment associated with such systems;

tt) Activities associated with the construction, on-site repair, maintenance or dismantlement of buildings, utility lines, pipelines, wells, excavations, earthworks and other structures that do not constitute emission units;

uu) Piping and storage systems for natural gas, propane and liquefied petroleum gas;

vv) Water treatment or storage systems, as follows:

1) Systems for potable water or boiler feedwater;

2) Systems, including cooling towers, for process water, provided that such water has not been in direct or indirect contact with process streams that contain volatile organic material or materials listed as hazardous air pollutants pursuant to ~~Section~~section 112(b) of the Clean Air Act;~~.~~

ww) Lawn care, landscape maintenance and grounds keeping activities;

xx) Containers, reservoirs or tanks used exclusively in dipping operations to coat objects with oils, waxes or greases, provided no organic solvent has been mixed with such materials;

yy) Use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act (15 USC ~~U.S.C.~~ 1261 et seq.), where the product is used at a source in the same manner as normal consumer use;

zz) Activities directly used in the diagnosis and treatment of disease, injury or other medical condition;

aaa) Activities associated with the construction, repair or maintenance of roads or other paved or open areas, including operation of street sweepers, vacuum trucks, spray trucks and other vehicles related to the control of fugitive emissions of such roads or other areas;

bbb) Storage and handling of drums or other transportable containers, where the containers are sealed during storage and handling;

ccc) Activities at a source associated with the maintenance, repair or dismantlement of an emission unit or other equipment installed at the source, not including the shutdown of the unit or equipment, including preparation for maintenance, repair or dismantlement, and preparation for subsequent startup, including preparation of a shutdown vessel for entry, replacement of insulation, welding and cutting, and steam purging of a vessel prior to startup;

ddd) Equipment used for corona arc discharge surface treatment of plastic with a power rating of 5 kW or less or equipped with an ozone destruction device;

eee) Equipment used to seal or cut plastic bags for commercial, industrial or domestic use;

fff) Each direct-fired gas dryer used for a washing, cleaning, coating or printing line, excluding:

1) Dryers with a rated heat input capacity of 2930 kW (10 mmbtu/hr) or more; and

2) Dryers for which emissions other than those attributable to combustion of fuel in the dryer, including emissions attributable to use or application of cleaning agents, washing materials, coatings or inks or other process materials that contain volatile organic material are not addressed as part of the permitting of such line, if a permit is otherwise required for the line;

ggg) Municipal solid waste landfills with a maximum total design capacity of less than 2.5 million Mg or 2.5 million m3 that are not required to install a gas collection and control system pursuant to 35 Ill. Adm. Code 220 or 800 through 849 or Section 9.1 of the Act; ~~and~~

hhh) Replacement or addition of air pollution control equipment for existing emission units in circumstances where:

1) The existing emission unit is permitted and has operated in compliance for the past year;

2) The new control equipment will provide equal or better control of the target pollutants;

3) The new control device will not be accompanied by a net increase in emissions of any non-targeted criteria air pollutant;

4) Different State or federal regulatory requirements or newly proposed regulatory requirements will not apply to the unit; and
BOARD NOTE: All sources must comply with underlying federal regulations and future State regulations.

5) Where the existing air pollution control equipment had required monitoring equipment, the new air pollution control equipment will be equipped with the instrumentation and monitoring devices that are typically installed on the new equipment of that type.
BOARD NOTE: For major sources subject to Section 39.5 of the Act, where the new air pollution control equipment will require a different compliance determination method in the facility's CAAPP permit, the facility may need a permit modification to address the changed compliance determination method;

iii) Replacement, addition, or modification of emission units at facilities with federally enforceable State operating permits limiting their potential to emit in circumstances where:

1) The potential to emit any regulated air pollutant in the absence of air pollution control equipment from the new emission unit, or the increase in the potential to emit resulting from the modification of any existing emission unit, is less than 0.1 pound per hour or 0.44 tons per year;

2) The raw materials and fuels used or present in the emission unit that cause or contribute to emissions, based on the information contained in Material Safety Data Sheets for those materials, do not contain equal to or greater than

0.01 percent by weight of any hazardous air pollutant as defined under ~~Section~~section 112(b) of the federal Clean Air Act;

3) The emission unit or modification is not subject to an emission standard or other regulatory requirement pursuant to ~~Section~~section 111 of the federal Clean Air Act;

4) Potential emissions of regulated air pollutants from the emission unit or modification will not, in combination with emissions from existing units or other proposed units, trigger permitting requirements under Section 39.5, permitting requirements under ~~Section~~section 165 or 173 of the federal Clean Air Act, or the requirement to obtain a revised federally enforceable State operating permit limiting the source's potential to emit; and

5) The source is not currently the subject of a Non-compliance Advisory, Clean Air Act Section 114 Request, Violation Notice, Notice of Violation, Compliance Commitment Agreement, Administrative Order, or civil or criminal enforcement action, related to the air emissions of the source;~~.~~

jjj) Replacement, addition, or modification of emission units at permitted sources that are not major sources subject to Section 39.5 of the Act and that do not have a federally enforceable ~~state~~State operating permit limiting their potential to emit, in circumstances where:

1) The potential to emit of any regulated air pollutant in the absence of air pollution control equipment from the new emission unit, or the increase in the potential to emit resulting from the modification of any existing emission unit is either:

A) Less than 0.1 pound per hour or 0.44 tons per year; or

B) Less than 0.5 pound per hour, and the permittee provides prior notification to the Agency of the intent to construct or install the unit. The unit may be constructed, installed or modified immediately after the notification is filed;

2) The emission unit or modification is not subject to an emission standard or other regulatory requirement under ~~Section~~section 111 or 112 of the federal Clean Air Act;

3) Potential emissions of regulated air pollutants from the emission unit or modification will not, in combination with the emissions from existing units or other proposed units, trigger permitting requirements under Section 39.5 of the Act or the requirement to obtain a federally enforceable permit limiting the source's potential to emit; and

4) The source is not currently the subject of a Non-compliance Advisory, Clean Air Act Section 114 Request, Violation Notice, Notice of Violation, Compliance Commitment Agreement, Administrative Order, or civil or criminal enforcement action, related to the air emissions of the source;~~.~~

kkk) The owner or operator of a CAAPP source is not required to obtain an air pollution control construction permit for the construction or modification of an emission unit or activity that is an insignificant activity as addressed by Section 201.210 or 201.211 of this Part. Section 201.212 of this Part must still be followed, as applicable. Other than excusing the owner or operator of a CAAPP source from the requirement to obtain an air pollution control

construction permit for the emission units or activities, nothing in this subsection shall alter or affect the liability of the CAAPP source for compliance with emission standards and other requirements that apply to the emission units or activities, either individually or in conjunction with other emission units or activities constructed, modified or located at the source;.

lll) Plastic injection molding equipment with an annual through-put not exceeding 5,000 tons of plastic resin in the aggregate from all plastic injection molding equipment at the source, and all associated plastic resin loading, unloading, conveying, mixing, storage, grinding, and drying equipment and associated mold release and mold cleaning agents.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

~~ILLINOIS REGISTER~~

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~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

Document comparison done by DeltaView on Thursday, October 23, 2008 11:34:47 AM

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Document 2	file://X:/RULES/Input/35-201-JCARr01.doc
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Padding cell	

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Moved from	0
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Total changes	57

JCAR350201-0817035r01

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 201
PERMITS AND GENERAL PROVISIONS

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201.APPENDIX A Rule into Section Table
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201.APPENDIX C Past Compliance Dates

AUTHORITY: Implementing Sections 10, 39, and 39.5 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28.5, 39, and 39.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. 21483, effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17 at 21 Ill. Reg. 7878, effective June 17, 1997; amended in R98-13 at 22 Ill. Reg. 11451, effective June 23, 1998; amended in R98-28 at 22 Ill. Reg. 11823, effective July 31, 1998; amended in R02-10 at 27 Ill. Reg. 5820, effective March 21, 2003; amended in R05-19 and R05-20 at 30 Ill. Reg. 4901, effective March 3, 2006; amended in R07-19 at 33 Ill. Reg. _____, effective _____.

SUBPART C: PROHIBITIONS

Section 201.146 Exemptions from State Permit Requirements

Construction or operating permits, pursuant to Sections 201.142, 201.143 and 201.144 of this Part, are not required for the classes of equipment and activities listed below in this Section. The permitting exemptions in this Section do not relieve the owner or operator of any source from any obligation to comply with any other applicable requirements, including the obligation to obtain a permit pursuant to Sections 9.1(d) and 39.5 of the Act, sections~~Sections~~ 165, 173 and 502 of the Clean Air Act or any other applicable permit or registration requirements.

a) Air contaminant detectors or recorders, combustion controllers or combustion shutoffs;

b) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;

c) Each fuel burning emission unit for indirect systems and for heating and reheating

furnace systems used exclusively for residential, or commercial establishments using gas and/or fuel oil exclusively with a design heat input capacity of less than 14.6 MW (50 mmbtu/hr), except that a permit shall be required for any such emission unit with a design heat input capacity of at least 10 mmbtu/hr that was constructed, reconstructed or modified after June 9, 1989 and that is subject to 40 CFR 60, subpart~~Subpart~~ D;

d) Each fuel burning emission unit other than those listed in subsection (c) of this Section for direct systems used for comfort heating purposes and indirect heating systems with a design heat input capacity of less than 2930 kW (10 mmbtu/hr);

e) Internal combustion engines or boilers (including the fuel system) of motor vehicles, locomotives, air craft, watercraft, lifttrucks and other vehicles powered by nonroad engines;

f) Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated laboratory fume hoods, vacuum producing devices and control devices installed primarily to address potential accidental releases;

g) Coating operations located at a source using not in excess of 18,925 1 (5,000 gal) of coating (including thinner) per year;

h) Any emission unit acquired exclusively for domestic use, except that a permit shall be required for any incinerator and for any fuel combustion emission unit using solid fuel with a design heat input capacity of 14.6 MW (50 mmbtu/hr) or more;

i) Any stationary internal combustion engine with a rated power output of less than 1118 kW (1500 bhp~~horsepower~~) or stationary turbine, except that a permit shall be required for the following:

1) Any internal combustion engine with a rating at equal to or greater than 500 bhp output that is subject to the control requirements of 35 Ill. Adm. Code 217.388(a) or (b); or

2) Any~~any~~ stationary gas turbine engine with a rated heat input at peak load of 10.7 gigajoules/hr (10 mmbtu/hr) or more that is constructed, reconstructed or modified after October 3, 1977 and that is subject to requirements of 40 CFR 60, subpart~~Subpart~~ GG;

j) Rest room facilities and associated cleanup operations, and stacks or vents used to prevent the escape of sewer gases through plumbing traps;

k) Safety devices designed to protect life and limb, provided that a permit is not otherwise required for the emission unit with which the safety device is associated;

l) Storage tanks for liquids for retail dispensing except for storage tanks that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);

m) Printing operations with aggregate organic solvent usage that never exceeds 2,839 l (750 gal) per year from all printing lines at the source, including organic solvent from inks, dilutents, fountain solutions and cleaning materials;

n) Storage tanks of:

1) Organic liquids with a capacity of less than 37,850 l (10,000 gal), provided the storage tank is not used to store any material listed as a hazardous air pollutant pursuant to section~~Section~~ 112(b) of the Clean Air Act, and provided the storage tank is not subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);

2) Any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials; or

3) Any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil or residual fuel oils;~~.~~

o) Threaded pipe connections, vessel manways, flanges, valves, pump seals, pressure relief valves, pressure relief devices and pumps;

p) Sampling connections used exclusively to withdraw materials for testing and analyses;

q) All storage tanks of Illinois crude oil with capacity of less than 151,400 1 (40,000 gal) located on oil field sites;

r) All organic material-water single or multiple compartment effluent water separator facilities for Illinois crude oil of vapor pressure of less than 34.5 kPa absolute (5 psia);

s) Grain-handling operations, exclusive of grain-drying operations, with an annual grain through-put not exceeding 300,000 bushels;

t) Grain-drying operations with a total grain-drying capacity not exceeding 750 bushels per hour for 5% moisture extraction at manufacturer's rated capacity, using the American Society of Agricultural Engineers Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers;

u) Portable grain-handling equipment and one-turn storage space;

v) Cold cleaning degreasers that are not in-line cleaning machines, where the vapor pressure of the solvents used never exceeds 2 kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F) or 0.7 kPa (5 mmHg or 0.1 psi) at 20°C (68°F);

w) Coin-operated dry cleaning operations;

x) Dry cleaning operations at a source that consume less than 30 gallons per month of perchloroethylene;

y) Brazing, soldering, wave soldering or welding equipment, including associated ventilation hoods;

z) Cafeterias, kitchens, and other similar facilities, including smokehouses, used for preparing food or beverages, but not including facilities used in the manufacturing and wholesale distribution of food, beverages, food or beverage products, or food or beverage components;

aa) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals (other than beryllium), plastics, concrete, rubber, paper stock, wood or wood products, where such equipment is either:

1) Used for maintenance activity;

2) Manually operated;

3) Exhausted inside a building; or

4) Vented externally with emissions controlled by an appropriately operated cyclonic inertial separator (cyclone), filter, electro-static precipitor or a scrubber;~~.~~

bb) Feed mills that produce no more than 10,000 tons of feed per calendar year, provided that a permit is not otherwise required for the source pursuant to Section 201.142, 201.143 or 201.144;

cc) Extruders used for the extrusion of metals, minerals, plastics, rubber or wood, excluding:

1) Extruders used in the manufacture of polymers;

2) Extruders using foaming agents or release agents that contain volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act; and

3) Extruders processing scrap material that was produced using foaming agents containing volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act;~~,~~

dd) Furnaces used for melting metals, other than beryllium, with a brim full capacity of less than 450 cubic inches by volume;

ee) Equipment used for the melting or application of less than 22,767 kg/yr (50,000 lbs/yr) of wax to which no organic solvent has been added;

ff) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;

gg) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;

hh) Equipment used for the mixing and blending of materials at ambient temperatures to make water based adhesives, provided each material mixed or blended contains less than 5% organic solvent by weight;

ii) Die casting machines where a metal or plastic is formed under pressure in a die located at a source with a through-put of less than 2,000,000 lbs of metal or plastic per year, in the aggregate, from all die casting machines;

jj) Air pollution control devices used exclusively with other equipment that is exempt from permitting, as provided in this Section;

kk) An emission unit for which a registration system designed to identify sources and emission units subject to emission control requirements is in place, such as the registration system found at 35 Ill. Adm. Code 218.586 (Gasoline Dispensing Operations – Motor Vehicle Fueling Operations) and 35 Ill. Adm. Code 218, Subpart HH (Motor Vehicle Refinishing);

ll) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy;

mm) Equipment used for hydraulic or hydrostatic testing;

nn) General vehicle maintenance and servicing activities conducted at a source, motor vehicle repair shops, and motor vehicle body shops, but not including:

1) Gasoline fuel handling; and

2) Motor vehicle refinishing;~~.~~

oo) Equipment using water, water and soap or detergent, or a suspension of abrasives in water for purposes of cleaning or finishing, provided no organic solvent has been added to the water;

pp) Administrative activities including, but not limited to, paper shredding, copying, photographic activities and blueprinting machines. This does not include incinerators;

qq) Laundry dryers, extractors, and tumblers processing that have been cleaned with water solutions of bleach or detergents that are:

1) Located at a source and process clothing, bedding and other fabric items used at the source, provided that any organic solvent present in such items before processing that is retained from cleanup operations shall be addressed as part of the VOM emissions from use of cleaning materials;

2) Located at a commercial laundry; or

3) Coin operated;~~.~~

rr) Housekeeping activities for cleaning purposes, including collecting spilled and accumulated materials, including operation of fixed vacuum cleaning systems

specifically for such purposes, but not including use of cleaning materials that contain organic solvent;

ss) Refrigeration systems, including storage tanks used in refrigeration systems, but excluding any combustion equipment associated with such systems;

tt) Activities associated with the construction, on-site repair, maintenance or dismantlement of buildings, utility lines, pipelines, wells, excavations, earthworks and other structures that do not constitute emission units;

uu) Piping and storage systems for natural gas, propane and liquefied petroleum gas;

vv) Water treatment or storage systems, as follows:

1) Systems for potable water or boiler feedwater;

2) Systems, including cooling towers, for process water, provided that such water has not been in direct or indirect contact with process streams that contain volatile organic material or materials listed as hazardous air pollutants pursuant to section~~Section~~ 112(b) of the Clean Air Act;~~.~~

ww) Lawn care, landscape maintenance and grounds keeping activities;

xx) Containers, reservoirs or tanks used exclusively in dipping operations to coat objects with oils, waxes or greases, provided no organic solvent has been mixed with such materials;

yy) Use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act (15 USC 1261 et seq.), where the product is used at a source in the same manner as normal consumer use;

zz) Activities directly used in the diagnosis and treatment of disease, injury or other medical condition;

aaa) Activities associated with the construction, repair or maintenance of roads or other paved or open areas, including operation of street sweepers, vacuum trucks, spray trucks and other vehicles related to the control of fugitive emissions of such roads or other areas;

bbb) Storage and handling of drums or other transportable containers, where the containers are sealed during storage and handling;

ccc) Activities at a source associated with the maintenance, repair or dismantlement of

an emission unit or other equipment installed at the source, not including the shutdown of the unit or equipment, including preparation for maintenance, repair or dismantlement, and preparation for subsequent startup, including preparation of a shutdown vessel for entry, replacement of insulation, welding and cutting, and steam purging of a vessel prior to startup;

ddd) Equipment used for corona arc discharge surface treatment of plastic with a power rating of 5 kW or less or equipped with an ozone destruction device;

eee) Equipment used to seal or cut plastic bags for commercial, industrial or domestic use;

fff) Each direct-fired gas dryer used for a washing, cleaning, coating or printing line, excluding:

1) Dryers with a rated heat input capacity of 2930 kW (10 mmbtu/hr) or more; and

2) Dryers for which emissions other than those attributable to combustion of fuel in the dryer, including emissions attributable to use or application of cleaning agents, washing materials, coatings or inks or other process materials that contain volatile organic material are not addressed as part of the permitting of such line, if a permit is otherwise required for the line;

ggg) Municipal solid waste landfills with a maximum total design capacity of less than 2.5 million Mg or 2.5 million m^3 that are not required to install a gas collection and control system pursuant to 35 Ill. Adm. Code 220 or 800 through 849 or Section 9.1 of the Act; ~~and~~

hhh) Replacement or addition of air pollution control equipment for existing emission units in circumstances where:

1) The existing emission unit is permitted and has operated in compliance for the past year;

2) The new control equipment will provide equal or better control of the target pollutants;

3) The new control device will not be accompanied by a net increase in emissions of any non-targeted criteria air pollutant;

4) Different State or federal regulatory requirements or newly proposed regulatory requirements will not apply to the unit; and

BOARD NOTE: All sources must comply with underlying federal regulations and future State regulations.

5) Where the existing air pollution control equipment had required monitoring equipment, the new air pollution control equipment will be equipped with the instrumentation and monitoring devices that are typically installed on the new equipment of that type.
BOARD NOTE: For major sources subject to Section 39.5 of the Act, where the new air pollution control equipment will require a different compliance determination method in the facility's CAAPP permit, the facility may need a permit modification to address the changed compliance determination method;~~.~~

iii) Replacement, addition, or modification of emission units at facilities with federally enforceable State operating permits limiting their potential to emit in circumstances where:

1) The potential to emit any regulated air pollutant in the absence of air pollution control equipment from the new emission unit, or the increase in the potential to emit resulting from the modification of any existing emission unit, is less than 0.1 pound per hour or 0.44 tons per year;

2) The raw materials and fuels used or present in the emission unit that cause or contribute to emissions, based on the information contained in Material Safety Data Sheets for those materials, do not contain equal to or greater than 0.01 percent by weight of any hazardous air pollutant as defined under section~~Section~~ 112(b) of the federal Clean Air Act;

3) The emission unit or modification is not subject to an emission standard or other regulatory requirement pursuant to section~~Section~~ 111 of the federal Clean Air Act;

4) Potential emissions of regulated air pollutants from the emission unit or modification will not, in combination with emissions from existing units or other proposed units, trigger permitting requirements under Section 39.5, permitting requirements under section~~Section~~ 165 or 173 of the federal Clean Air Act, or the requirement to obtain a revised federally enforceable State operating permit limiting the source's potential to emit; and

5) The source is not currently the subject of a Non-compliance Advisory, Clean Air Act Section 114 Request, Violation Notice, Notice of Violation,

Compliance Commitment Agreement, Administrative Order, or civil or criminal enforcement action, related to the air emissions of the source;~~.~~

jjj) Replacement, addition, or modification of emission units at permitted sources that are not major sources subject to Section 39.5 of the Act and that do not have a federally enforceable State~~state~~ operating permit limiting their potential to emit, in circumstances where:

1) The potential to emit of any regulated air pollutant in the absence of air pollution control equipment from the new emission unit, or the increase in the potential to emit resulting from the modification of any existing emission unit is either:

A) Less than 0.1 pound per hour or 0.44 tons per year; or

B) Less than 0.5 pound per hour, and the permittee provides prior notification to the Agency of the intent to construct or install the unit. The unit may be constructed, installed or modified immediately after the notification is filed;

2) The emission unit or modification is not subject to an emission standard or other regulatory requirement under section~~Section~~ 111 or 112 of the federal Clean Air Act;

3) Potential emissions of regulated air pollutants from the emission unit or modification will not, in combination with the emissions from existing units or other proposed units, trigger permitting requirements under Section 39.5 of the Act or the requirement to obtain a federally enforceable permit limiting the source's potential to emit; and

4) The source is not currently the subject of a Non-compliance Advisory, Clean Air Act Section 114 Request, Violation Notice, Notice of Violation, Compliance Commitment Agreement, Administrative Order, or civil or criminal enforcement action, related to the air emissions of the source;~~.~~

kkk) The owner or operator of a CAAPP source is not required to obtain an air pollution control construction permit for the construction or modification of an emission unit or activity that is an insignificant activity as addressed by Section 201.210 or 201.211 of this Part. Section 201.212 of this Part must still be followed, as applicable. Other than excusing the owner or operator of a CAAPP source from the requirement to obtain an air pollution control construction permit for the emission units or activities, nothing in this subsection shall alter or affect the liability of the CAAPP source for compliance with emission standards and

other requirements that apply to the emission units or activities, either individually or in conjunction with other emission units or activities constructed, modified or located at the source;~~.~~

lll) Plastic injection molding equipment with an annual through-put not exceeding 5,000 tons of plastic resin in the aggregate from all plastic injection molding equipment at the source, and all associated plastic resin loading, unloading, conveying, mixing, storage, grinding, and drying equipment and associated mold release and mold cleaning agents.

(Source: Amended at 33 Ill. Reg. ____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Definitions and General Provisions

2) Code Citation: 35 Ill. Adm. Code 211

3) Section Number: 211.1920 — Proposed Action: Amend

4) Statutory Authority: Implementing Sections 10, 39, and 39.5 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27, 28, 39, and 39.5]

5) A Complete Description of the Subjects and Issues Involved: For a more detailed discussion of these amendments, see the Board's September 16, 2008 opinion and order in docket R07-19: In the Matter of: Section 27 Proposed Rules for Nitrogen Oxide (NOx) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code 201.146 and Parts 211 and 217. After filing its original rulemaking on April 6, 2007, the Illinois Environmental Protection Agency (Agency) on December 20, 2007 filed a motion to proceed with an amended proposal. In an order dated January 10, 2008, the Board grantd that motion.

In its motion to proceed with an amended proposal, the Agency indicated that it intended to control NO_x emissions from engines and turbines located at 100 ton per year sources located in the Greater Chicago and Metro East/St. Louis nonattainment areas with a capacity of 500 brake horsepower (bhp) or 3.5 megawatts (MW). In its motion to proceed with an amended proposal, the Agency stated that its proposed regulations would help Illinois to meet Clean Air Act (CAA) requirements for NO_x reasonably available control technology (RACT) under the under the eight-hour National Ambient Air Quality Standard (NAAQS) for ozone and would also improve air quality by reducing precursors of fine particulate matter ($PM_{2.5}$).

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Agency's motion to proceed with an amended proposal included the Agency's *Amended Technical Support Document for Controlling NO_x Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines R07-19* (TSD), which relied on several published studies and reports. Copies of the reports that the IEPA relied upon are available for review at the Board's Chicago office, and are listed below.

1. National Ambient Air Quality Standards for Ozone, 62 Fed. Reg. 38855, July 18, 1997 (Ozone Standards).

2. National Ambient Air Quality Standards for Particulate Matter, 62 Fed. Reg.

38652, July 18, 1997 ($PM_{2.5}$ Standards).

3. Air Quality Designations and Classifications for Fine Particles ($PM_{2.5}$) National Ambient Air Quality Standards, 70 Fed. Reg. 943, January 5, 2005.

4. 8-hour Ozone National Ambient Air Quality Standards, 69 Fed. Reg. 23858, April 30, 2004.

5. Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard, 70 Fed. Reg. 71612, November 29, 2005.

6. Clean Air Fine Particle Implementation; Final Rule, 40 CFR 51, April 25, 2007.

7. Controlling Nitrogen Oxides Under the Clean Air Act: A Menu of Options, July 1994, State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials.

8. Alternative Control Techniques Document--NO_x Emissions from Stationary Reciprocating Internal Combustion Engines EPA-453/R-93-032, July 1993, USEPA, OAQPS, RTP, NC 27711.

9. Alternative Control Techniques Document – NO_x Emissions from Stationary Gas Turbines, EPA-453/R-93-007, January 1993, USEPA, OAQPS, Research Triangle Park, NC 27711

10. Stationary Reciprocating Internal Combustion Engines, Updated Information on NO_x Emissions and Control Techniques, Revised Final Report, EPA Contract No. 68-D-026, Work Assignment No. 2-28, EC/R Project No. ISD-228, September 1, 2000.

11. Texas Administrative Code. Title 30, Rule 106.512: Stationary Engines and Turbines

12. Indiana Department of Environmental Management, Office of Air Quality, Section 9.326 IAC 10-5. Rule 5 Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE).

13. Document Prepared by the State of Connecticut, Department of Environmental Protection. Sec. 22a-174-22 Control of Nitrogen Oxides Emissions.

14. Alabama Department of Environmental Management. Air Division, Chapter 335-3-8, Nitrogen Oxides Emissions.

15. New York State, Department of Environmental Conservation Rule and Regulations, Subpart 227.2, Reasonable Available Control Technology (RACT) for Oxides of Nitrogen (NO_x).

16. New Jersey State Department of Environmental Protection, New Jersey Administrative Code Title 7, Chapter 27, Subchapter 19: Control and Prohibition of Air Pollution from Oxides of Nitrogen.

17. Pennsylvania Department of Environmental Protection, Air Quality Regulations, Small Source of NO_x Cement Kilns and Large Internal Combustion Engines, 25 PA Code CHS 121,129 and 145.

18. Code of Maryland Regulations. Title 26 Department of the Environment. Subtitle 11 Air Quality, Chapter 09: Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installation.

19. Antelope Valley Air Quality Management District. Rule 1110.2: Emissions from Stationary, Non-Road & Portable Internal Combustion Engines.

20. San Joaquin Valley Unified Air Pollution Control District Rule 4702: Internal Combustion Engines – Phase 2.

21. El Dorado County Air Pollution Control District Rule 233: Stationary Internal Combustion Engines.

22. Interstate Ozone Transport: Response to Court Decisions on the NO_x SIP Call, NO_x SIP Call Technical Amendments, and Section 126 Rules; Final Rule. 69 Fed. Reg. 21603, April 21, 2004.

23. South Coast Air Quality Management District, Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines.

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

The full text of the Proposed Amendment begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

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211.101 Incorporations by Reference
211.102 Abbreviations and Conversion Factors

SUBPART B: DEFINITIONS

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211.240 Adhesion Promoter
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211.410 Air Pollution Control Equipment
211.430 Air Suspension Coater/Dryer
211.450 Airless Spray
211.470 Air Assisted Airless Spray~~211.3970~~
211.474 Alcohol
211.479 Allowance
211.484 Animal
211.485 Animal Pathological Waste
211.490 Annual Grain Through-Put
211.495 Anti-Glare/Safety Coating
211.510 Application Area
211.530 Architectural Coating
211.550 As Applied
211.560 As-Applied Fountain Solution
211.570 Asphalt
211.590 Asphalt Prime Coat
211.610 Automobile
211.630 Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant
211.650 Automobile or Light-Duty Truck Refinishing
211.660 Automotive/Transportation Plastic Parts
211.670 Baked Coatings
211.680 Bakery Oven

211.685 Basecoat/Clearcoat System
211.690 Batch Loading
211.695 Batch Operation
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211.730 Binders
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211.750 British Thermal Unit
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211.810 Bulk Gasoline Terminal
211.820 Business Machine Plastic Parts
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211.850 Can Coating
211.870 Can Coating Line
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211.910 Capture Device
211.930 Capture Efficiency
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211.970 Certified Investigation
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211.1090 Clear Coating
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211.1150 Closed Vent System
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211.1190 Coating
211.1210 Coating Applicator
211.1230 Coating Line
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211.1370 Concrete Curing Compounds
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211.1750 Dip Coating
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211.1790 Drum
211.1810 Dry Cleaning Operation or Dry Cleaning Facility
211.1830 Dump-Pit Area
211.1850 Effective Grate Area
211.1870 Effluent Water Separator
211.1875 Elastomeric Materials
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211.2190 External Floating Roof
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211.2230 Fabric Coating
211.2250 Fabric Coating Line
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211.2285 Feed Mill
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211.APPENDIX A Rule into Section Table
211.APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1, 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 9.9, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill.

Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. 6489, effective May 16, 1997; amended in R97-24 at 21 Ill. Reg. 7695, effective June 9, 1997; amended in R96-17 at 21 Ill. Reg. 7856, effective June 17, 1997; amended in R97-31 at 22 Ill. Reg. 3497, effective February 2, 1998; amended in R98-17 at 22 Ill. Reg. 11405, effective June 22, 1998; amended in R01-9 at 25 Ill. Reg. 108, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4582, effective March 15, 2001; amended in R01-17 at 25 Ill. Reg. 5900, effective April 17, 2001; amended in R05-16 at 29 Ill. Reg. 8181, effective May 23, 2005; amended in R05-11 at 29 Ill. Reg. 8892, effective June 13, 2005; amended in R04-12/20 at 30 Ill. Reg. 9654, effective May 15, 2006; amended in R07-18 at 31 Ill. Reg. ~~14271,~~14254, effective September 25, 2007; amended in R~~07~~08-~~19~~6 at ~~33~~32 Ill. Reg. ~~_____~~1387, effective January 16, 2008; amended in R07-19 at 33 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 211.1920 Emergency or Standby Unit

"Emergency or Standby Unit" means, for a stationary gas turbine or a stationary reciprocating internal combustion engine, a unit that:

a) Supplies power for the source at which it is located but operates only when the normal supply of power has been rendered unavailable by circumstances beyond the control of the owner or operator of the source and only as necessary to assure the availability of the engine or turbine. An emergency or standby unit may not be operated to supplement a primary power source when the load capacity or rating of the primary power source has been reached or exceeded.

b) Operates exclusively for firefighting or flood control or both.

c) Operates in response to and during the existence of any officially declared disaster or state of emergency.

d) Operates for the purpose of testing, repair or routine maintenance to verify its readiness for emergency or standby use.

e) Notwithstanding any other subsection in this Section, emergency or standby units may operate an additional 50 hours per year in non-emergency situations.

The term does not include equipment used for purposes other than emergencies, as described above, such as to supply power during high electric demand days.

(Source: Amended at 33 Ill. Reg._____, _____effective_____.)

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENT~~

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section

211.101 Incorporations by Reference
211.102 Abbreviations and Conversion Factors

SUBPART B: DEFINITIONS

Section

211.121 Other Definitions
211.122 Definitions (Repealed)
211.130 Accelacota
211.150 Accumulator
211.170 Acid Gases
211.210 Actual Heat Input
211.230 Adhesive
211.240 Adhesion Promoter
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211.370 Air Pollutant
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211.410 Air Pollution Control Equipment
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50	211.590	Asphalt Prime Coat
51	211.610	Automobile
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53		Truck Manufacturing Plant
54	211.650	Automobile or Light-Duty Truck Refinishing
55	211.660	Automotive/Transportation Plastic Parts
56	211.670	Baked Coatings
57	211.680	Bakery Oven
58	211.685	Basecoat/Clearcoat System
59	211.690	Batch Loading
60	211.695	Batch Operation
61	211.696	Batch Process Train
62	211.710	Bead-Dipping
63	211.730	Binders
64	211.740	Brakehorsepower (rated-bhp)
65	211.750	British Thermal Unit
66	211.770	Brush or Wipe Coating
67	211.790	Bulk Gasoline Plant
68	211.810	Bulk Gasoline Terminal
69	211.820	Business Machine Plastic Parts
70	211.830	Can
71	211.850	Can Coating
72	211.870	Can Coating Line
73	211.890	Capture
74	211.910	Capture Device
75	211.930	Capture Efficiency
76	211.950	Capture System
77	211.953	Carbon Adsorber
78	211.955	Cement
79	211.960	Cement Kiln
80	211.970	Certified Investigation
81	211.980	Chemical Manufacturing Process Unit
82	211.990	Choke Loading
83	211.1010	Clean Air Act
84	211.1050	Cleaning and Separating Operation
85	211.1070	Cleaning Materials
86	211.1090	Clear Coating

87	211.1110	Clear Topcoat
88	211.1120	Clinker
89	211.1130	Closed Purge System
90	211.1150	Closed Vent System
91	211.1170	Coal Refuse
92	211.1190	Coating
93	211.1210	Coating Applicator
94	211.1230	Coating Line
95	211.1250	Coating Plant
96	211.1270	Coil Coating
97	211.1290	Coil Coating Line
98	211.1310	Cold Cleaning
99	211.1312	Combined Cycle System
100	211.1316	Combustion Turbine
101	211.1320	Commence Commercial Operation
102	211.1324	Commence Operation
103	211.1328	Common Stack
104	211.1330	Complete Combustion
105	211.1350	Component
106	211.1370	Concrete Curing Compounds
107	211.1390	Concentrated Nitric Acid Manufacturing Process
108	211.1410	Condensate
109	211.1430	Condensible PM-10
110	211.1465	Continuous Automatic Stoking
111	211.1467	Continuous Coater
112	211.1470	Continuous Process
113	211.1490	Control Device
114	211.1510	Control Device Efficiency
115	211.1515	Control Period
116	211.1520	Conventional Air Spray
117	211.1530	Conventional Soybean Crushing Source
118	211.1550	Conveyorized Degreasing
119	211.1570	Crude Oil
120	211.1590	Crude Oil Gathering
121	211.1610	Crushing
122	211.1630	Custody Transfer
123	211.1650	Cutback Asphalt
124	211.1670	Daily-Weighted Average VOM Content
125	211.1690	Day
126	211.1710	Degreaser
127	211.1730	Delivery Vessel
128	211.1740	Diesel Engine
129	211.1750	Dip Coating

211.1770	Distillate Fuel Oil
211.1780	Distillation Unit
211.1790	Drum
211.1810	Dry Cleaning Operation or Dry Cleaning Facility
211.1830	Dump-Pit Area
211.1850	Effective Grate Area
211.1870	Effluent Water Separator
211.1875	Elastomeric Materials
211.1880	Electromagnetic Interference/Radio Frequency Interference (EMI/RFI) Shielding Coatings
211.1885	Electronic Component
211.1890	Electrostatic Bell or Disc Spray
211.1900	Electrostatic Prep Coat
211.1910	Electrostatic Spray
211.1920	Emergency or Standby Unit
211.1930	Emission Rate
211.1950	Emission Unit
211.1970	Enamel
211.1990	Enclose
211.2010	End Sealing Compound Coat
211.2030	Enhanced Under-the-Cup Fill
211.2050	Ethanol Blend Gasoline
211.2070	Excess Air
211.2080	Excess Emissions
211.2090	Excessive Release
211.2110	Existing Grain-Drying Operation (Repealed)
211.2130	Existing Grain-Handling Operation (Repealed)
211.2150	Exterior Base Coat
211.2170	Exterior End Coat
211.2190	External Floating Roof
211.2210	Extreme Performance Coating
211.2230	Fabric Coating
211.2250	Fabric Coating Line
211.2270	Federally Enforceable Limitations and Conditions
211.2285	Feed Mill
211.2290	Fermentation Time
211.2300	Fill
211.2310	Final Repair Coat
211.2330	Firebox
211.2350	Fixed-Roof Tank
211.2360	Flexible Coating
211.2365	Flexible Operation Unit
211.2370	Flexographic Printing

173	211.2390	Flexographic Printing Line
174	211.2410	Floating Roof
175	211.2420	Fossil Fuel
176	211.2425	Fossil Fuel-Fired
177	211.2430	Fountain Solution
178	211.2450	Freeboard Height
179	211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source
180	211.2490	Fugitive Particulate Matter
181	211.2510	Full Operating Flowrate
182	211.2530	Gas Service
183	211.2550	Gas/Gas Method
184	211.2570	Gasoline
185	211.2590	Gasoline Dispensing Operation or Gasoline Dispensing Facility
186	211.2610	Gel Coat
187	211.2620	Generator
188	211.2630	Gloss Reducers
189	211.2650	Grain
190	211.2670	Grain-Drying Operation
191	211.2690	Grain-Handling and Conditioning Operation
192	211.2710	Grain-Handling Operation
193	211.2730	Green-Tire Spraying
194	211.2750	Green Tires
195	211.2770	Gross Heating Value
196	211.2790	Gross Vehicle Weight Rating
197	211.2810	Heated Airless Spray
198	211.2815	Heat Input
199	211.2820	Heat Input Rate
200	211.2830	Heatset
201	211.2850	Heatset Web Offset Lithographic Printing Line
202	211.2870	Heavy Liquid
203	211.2890	Heavy Metals
204	211.2910	Heavy Off-Highway Vehicle Products
205	211.2930	Heavy Off-Highway Vehicle Products Coating
206	211.2950	Heavy Off-Highway Vehicle Products Coating Line
207	211.2970	High Temperature Aluminum Coating
208	211.2990	High Volume Low Pressure (HVLP) Spray
209	211.3010	Hood
210	211.3030	Hot Well
211	211.3050	Housekeeping Practices
212	211.3070	Incinerator
213	211.3090	Indirect Heat Transfer
214	211.3110	Ink
215	211.3130	In-Process Tank

216	211.3150	In-Situ Sampling Systems
217	211.3170	Interior Body Spray Coat
218	211.3190	Internal-Floating Roof
219	211.3210	Internal Transferring Area
220	211.3230	Lacquers
221	211.3250	Large Appliance
222	211.3270	Large Appliance Coating
223	211.3290	Large Appliance Coating Line
224	211.3300	Lean-Burn Engine
225	211.3310	Light Liquid
226	211.3330	Light-Duty Truck
227	211.3350	Light Oil
228	211.3370	Liquid/Gas Method
229	211.3390	Liquid-Mounted Seal
230	211.3410	Liquid Service
231	211.3430	Liquids Dripping
232	211.3450	Lithographic Printing Line
233	211.3470	Load-Out Area
234	211.3480	Loading Event
235	211.3483	Long Dry Kiln
236	211.3485	Long Wet Kiln
237	211.3487	Low-NO_x Burner
238	211.3490	Low Solvent Coating
239	211.3500	Lubricating Oil
240	211.3510	Magnet Wire
241	211.3530	Magnet Wire Coating
242	211.3550	Magnet Wire Coating Line
243	211.3570	Major Dump Pit
244	211.3590	Major Metropolitan Area (MMA)
245	211.3610	Major Population Area (MPA)
246	211.3620	Manually Operated Equipment
247	211.3630	Manufacturing Process
248	211.3650	Marine Terminal
249	211.3660	Marine Vessel
250	211.3670	Material Recovery Section
251	211.3690	Maximum Theoretical Emissions
252	211.3695	Maximum True Vapor Pressure
253	211.3710	Metal Furniture
254	211.3730	Metal Furniture Coating
255	211.3750	Metal Furniture Coating Line
256	211.3770	Metallic Shoe-Type Seal
257	211.3780	Mid-Kiln Firing
258	211.3790	Miscellaneous Fabricated Product Manufacturing Process

259	211.3810	Miscellaneous Formulation Manufacturing Process
260	211.3830	Miscellaneous Metal Parts and Products
261	211.3850	Miscellaneous Metal Parts and Products Coating
262	211.3870	Miscellaneous Metal Parts or Products Coating Line
263	211.3890	Miscellaneous Organic Chemical Manufacturing Process
264	211.3910	Mixing Operation
265	211.3915	Mobile Equipment
266	211.3930	Monitor
267	211.3950	Monomer
268	211.3960	Motor Vehicles
269	211.3965	Motor Vehicle Refinishing
270	211.3970	Multiple Package Coating
271	211.3980	Nameplate Capacity
272	211.3990	New Grain-Drying Operation (Repealed)
273	211.4010	New Grain-Handling Operation (Repealed)
274	211.4030	No Detectable Volatile Organic Material Emissions
275	211.4050	Non-Contact Process Water Cooling Tower
276	211.4055	Non-Flexible Coating
277	211.4065	Non-Heatset
278	211.4067	NO_x Trading Program
279	211.4070	Offset
280	211.4090	One Hundred Percent Acid
281	211.4110	One-Turn Storage Space
282	211.4130	Opacity
283	211.4150	Opaque Stains
284	211.4170	Open Top Vapor Degreasing
285	211.4190	Open-Ended Valve
286	211.4210	Operator of a Gasoline Dispensing Operation or Operator of a Gasoline
287		Dispensing Facility
288	211.4230	Organic Compound
289	211.4250	Organic Material and Organic Materials
290	211.4260	Organic Solvent
291	211.4270	Organic Vapor
292	211.4290	Oven
293	211.4310	Overall Control
294	211.4330	Overvarnish
295	211.4350	Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing
296		Facility
297	211.4370	Owner or Operator
298	211.4390	Packaging Rotogravure Printing
299	211.4410	Packaging Rotogravure Printing Line
300	211.4430	Pail
301	211.4450	Paint Manufacturing Source or Paint Manufacturing Plant

302	211.4470	Paper Coating
303	211.4490	Paper Coating Line
304	211.4510	Particulate Matter
305	211.4530	Parts Per Million (Volume) or PPM (Vol)
306	211.4550	Person
307	211.4590	Petroleum
308	211.4610	Petroleum Liquid
309	211.4630	Petroleum Refinery
310	211.4650	Pharmaceutical
311	211.4670	Pharmaceutical Coating Operation
312	211.4690	Photochemically Reactive Material
313	211.4710	Pigmented Coatings
314	211.4730	Plant
315	211.4740	Plastic Part
316	211.4750	Plasticizers
317	211.4770	PM-10
318	211.4790	Pneumatic Rubber Tire Manufacture
319	211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process
320	211.4830	Polyester Resin Material(s)
321	211.4850	Polyester Resin Products Manufacturing Process
322	211.4870	Polystyrene Plant
323	211.4890	Polystyrene Resin
324	211.4910	Portable Grain-Handling Equipment
325	211.4930	Portland Cement Manufacturing Process Emission Source
326	211.4950	Portland Cement Process or Portland Cement Manufacturing Plant
327	211.4960	Potential Electrical Output Capacity
328	211.4970	Potential to Emit
329	211.4990	Power Driven Fastener Coating
330	211.5010	Precoat
331	211.5015	Preheater Kiln
332	211.5020	Preheater/Precalciner Kiln
333	211.5030	Pressure Release
334	211.5050	Pressure Tank
335	211.5060	Pressure/Vacuum Relief Valve
336	211.5061	Pretreatment Wash Primer
337	211.5065	Primary Product
338	211.5070	Prime Coat
339	211.5080	Primer Sealer
340	211.5090	Primer Surfacer Coat
341	211.5110	Primer Surfacer Operation
342	211.5130	Primers
343	211.5150	Printing
344	211.5170	Printing Line

345	211.5185	Process Emission Source
346	211.5190	Process Emission Unit
347	211.5210	Process Unit
348	211.5230	Process Unit Shutdown
349	211.5245	Process Vent
350	211.5250	Process Weight Rate
351	211.5270	Production Equipment Exhaust System
352	211.5310	Publication Rotogravure Printing Line
353	211.5330	Purged Process Fluid
354	211.5340	Rated Heat Input Capacity
355	211.5350	Reactor
356	211.5370	Reasonably Available Control Technology (RACT)
357	211.5390	Reclamation System
358	211.5410	Refiner
359	211.5430	Refinery Fuel Gas
360	211.5450	Refinery Fuel Gas System
361	211.5470	Refinery Unit or Refinery Process Unit
362	211.5480	Reflective Argent Coating
363	211.5490	Refrigerated Condenser
364	211.5500	Regulated Air Pollutant
365	211.5510	Reid Vapor Pressure
366	211.5530	Repair
367	211.5550	Repair Coat
368	211.5570	Repaired
369	211.5580	Repowering
370	211.5590	Residual Fuel Oil
371	211.5600	Resist Coat
372	211.5610	Restricted Area
373	211.5630	Retail Outlet
374	211.5640	Rich-Burn Engine
375	211.5650	Ringelmann Chart
376	211.5670	Roadway
377	211.5690	Roll Coater
378	211.5710	Roll Coating
379	211.5730	Roll Printer
380	211.5750	Roll Printing
381	211.5770	Rotogravure Printing
382	211.5790	Rotogravure Printing Line
383	211.5810	Safety Relief Valve
384	211.5830	Sandblasting
385	211.5850	Sanding Sealers
386	211.5870	Screening
387	211.5880	Screen Printing on Paper

388	211.5890	Sealer
389	211.5910	Semi-Transparent Stains
390	211.5930	Sensor
391	211.5950	Set of Safety Relief Valves
392	211.5970	Sheet Basecoat
393	211.5980	Sheet-Fed
394	211.5990	Shotblasting
395	211.6010	Side-Seam Spray Coat
396	211.6025	Single Unit Operation
397	211.6030	Smoke
398	211.6050	Smokeless Flare
399	211.6060	Soft Coat
400	211.6070	Solvent
401	211.6090	Solvent Cleaning
402	211.6110	Solvent Recovery System
403	211.6130	Source
404	211.6140	Specialty Coatings
405	211.6145	Specialty Coatings for Motor Vehicles
406	211.6150	Specialty High Gloss Catalyzed Coating
407	211.6170	Specialty Leather
408	211.6190	Specialty Soybean Crushing Source
409	211.6210	Splash Loading
410	211.6230	Stack
411	211.6250	Stain Coating
412	211.6270	Standard Conditions
413	211.6290	Standard Cubic Foot (scf)
414	211.6310	Start-Up
415	211.6330	Stationary Emission Source
416	211.6350	Stationary Emission Unit
417	211.6355	Stationary Gas Turbine
418	211.6360	Stationary Reciprocating Internal Combustion Engine
419	211.6370	Stationary Source
420	211.6390	Stationary Storage Tank
421	211.6400	Stencil Coat
422	211.6410	Storage Tank or Storage Vessel
423	211.6420	Strippable Spray Booth Coating
424	211.6430	Styrene Devolatilizer Unit
425	211.6450	Styrene Recovery Unit
426	211.6470	Submerged Loading Pipe
427	211.6490	Substrate
428	211.6510	Sulfuric Acid Mist
429	211.6530	Surface Condenser
430	211.6540	Surface Preparation Materials

431	211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
432	211.6570	Tablet Coating Operation
433	211.6580	Texture Coat
434	211.6590	Thirty-Day Rolling Average
435	211.6610	Three-Piece Can
436	211.6620	Three or Four Stage Coating System
437	211.6630	Through-the-Valve Fill
438	211.6650	Tooling Resin
439	211.6670	Topcoat
440	211.6690	Topcoat Operation
441	211.6695	Topcoat System
442	211.6710	Touch-Up
443	211.6720	Touch-Up Coating
444	211.6730	Transfer Efficiency
445	211.6750	Tread End Cementing
446	211.6770	True Vapor Pressure
447	211.6790	Turnaround
448	211.6810	Two-Piece Can
449	211.6830	Under-the-Cup Fill
450	211.6850	Undertread Cementing
451	211.6860	Uniform Finish Blender
452	211.6870	Unregulated Safety Relief Valve
453	211.6880	Vacuum Metallizing
454	211.6890	Vacuum Producing System
455	211.6910	Vacuum Service
456	211.6930	Valves Not Externally Regulated
457	211.6950	Vapor Balance System
458	211.6970	Vapor Collection System
459	211.6990	Vapor Control System
460	211.7010	Vapor-Mounted Primary Seal
461	211.7030	Vapor Recovery System
462	211.7050	Vapor-Suppressed Polyester Resin
463	211.7070	Vinyl Coating
464	211.7090	Vinyl Coating Line
465	211.7110	Volatile Organic Liquid (VOL)
466	211.7130	Volatile Organic Material Content (VOMC)
467	211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
468	211.7170	Volatile Petroleum Liquid
469	211.7190	Wash Coat
470	211.7200	Washoff Operations
471	211.7210	Wastewater (Oil/Water) Separator
472	211.7230	Weak Nitric Acid Manufacturing Process
473	211.7250	Web

211.7270 Wholesale Purchase – Consumer
211.7290 Wood Furniture
211.7310 Wood Furniture Coating
211.7330 Wood Furniture Coating Line
211.7350 Woodworking
211.7400 Yeast Percentage

211.APPENDIX A Rule into Section Table
211.APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1, 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 9.9, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. 6489, effective May 16, 1997; amended in R97-24 at 21 Ill. Reg. 7695, effective June 9, 1997; amended in R96-17 at 21 Ill. Reg. 7856, effective June 17, 1997; amended in R97-31 at 22 Ill. Reg. 3497, effective February 2, 1998; amended in R98-17 at 22 Ill. Reg. 11405, effective June 22, 1998; amended in R01-9 at 25 Ill. Reg. 108, effective December

26, 2000; amended in R01-11 at 25 Ill. Reg. 4582, effective March 15, 2001; amended in R01-17 at 25 Ill. Reg. 5900, effective April 17, 2001; amended in R05-16 at 29 Ill. Reg. 8181, effective May 23, 2005; amended in R05-11 at 29 Ill. Reg. 8892, effective June 13, 2005; amended in R04-12/20 at 30 Ill. Reg. 9654, effective May 15, 2006; amended in R07-18 at 31 Ill. Reg. 14254, effective September 25, 2007; amended in R08-6 at 32 Ill. Reg. 1387, effective January 16, 2008; amended in R07-19 at 33 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 211.1920 Emergency or Standby Unit

"Emergency or Standby Unit" means, for a stationary gas turbine or a stationary reciprocating internal combustion engine, a unit that:

a) Supplies power for the source at which it is located but operates only when the normal supply of power has been rendered unavailable by circumstances beyond the control of the owner or operator of the source and only as necessary to assure the availability of the engine or turbine. An emergency or standby unit may not be operated to supplement a primary power source when the load capacity or rating of the primary power source has been reached or exceeded.

b) Operates exclusively for firefighting or flood control or both.

c) Operates in response to and during the existence of any officially declared disaster or state of emergency.

d) Operates for the purpose of testing, repair or routine maintenance to verify its readiness for emergency or standby use.

e) Notwithstanding any other subsection in this Section, emergency or standby units may operate an additional 50 hours per year in non-emergency situations.

The term does not include equipment used for purposes other than emergencies, as described above, such as to supply power during high electric demand days.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Nitrogen Oxides Emissions

2) Code Citation: 35 Ill. Adm. Code 217

3)

Section Numbers:	Proposed Action:
217.386	Amend
217.388	Amend
217.390	Amend
217.392	Amend
217.394	Amend
217.396	Amend

4) Statutory Authority: Implementing Sections 10, 39, and 39.5 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27, 28, 39, and 39.5]

5) A Complete Description of the Subjects and Issues Involved: For a more detailed discussion of these amendments, see the Board's September 16, 2008 opinion and order in docket R07-19: In the Matter of: Section 27 Proposed Rules for Nitrogen Oxide (NO_x) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code 201.146 and Parts 211 and 217. After filing its original rulemaking proposal on April 6, 2007, the Illinois Environmental Protection Agency (Agency) on December 20, 2007 filed a motion to proceed with an amended proposal. In an order dated January 10, 2008, the Board granted that motion.

In its motion to proceed with an amended proposal, the Agency indicated that it intended to control NO_x emissions from engines and turbines located at 100 ton per year sources located in the Greater Chicago and Metro East/St. Louis nonattainment areas with a capacity at or greater than 500 brake horsepower (bhp) or 3.5 megawatts (MW). The Agency stated that its proposed regulations would help Illinois to meet Clear Air Act (CAA) requirements for NO_x reasonably available control technology (RACT) under the eight-hour National Ambient Air Quality Standard (NAAQS) for ozone and would also improve air quality by reducing precursors of fine particulate matter ($PM_{2.5}$).

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Agency's motion to proceed with an amended proposal included the IEPA's Amended Technical Support Document for Controlling NO_x Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines R07-19I (TSD), which relied on several published studies and reports. Copies of the reports that the IEPA relied upon are available for review at the Board's Chicago office, and are listed below.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1. National Ambient Air Quality Standards for Ozone, 62 Fed. Reg. 38855, July 18, 1997 (Ozone Standards).

2. National Ambient Air Quality Standards for Particulate Matter, 62 Fed. Reg. 38652, July 18, 1997 ($PM_{2.5}$ Standards).

3. Air Quality Designations and Classifications for Fine Particles ($PM_{2.5}$) National Ambient Air Quality Standards, 70 Fed. Reg. 943, January 5, 2005.

4. 8-hour Ozone National Ambient Air Quality Standards, 69 Fed. Reg. 23858, April 30, 2004.

5. Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard, 70 Fed. Reg. 71612, November 29, 2005.

6. Clean Air Fine Particle Implementation; Final Rule, 40 CFR 51, April 25, 2007.

7. Controlling Nitrogen Oxides Under the Clean Air Act: A Menu of Options, July 1994, State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials.

8. Alternative Control Techniques Document – NO_x Emissions from Stationary Reciprocating Internal Combustion Engines EPA-453/R-93-032, July 1993, USEPA, OAQPS, RTP, NC 27711.

9. Alternative Control Techniques Document – NO_x Emissions from Stationary Gas Turbines, EPA-453/R-93-007, January 1993, USEPA, OAQPS, Research Triangle Park, NC 27711

10. Stationary Reciprocating Internal Combustion Engines, Updated Information on NO_x Emissions and Control Techniques, Revised Final Report, EPA Contract No. 68-D-026, Work Assignment No. 2-28, EC/R Project No. ISD-228, September 1, 2000.

11. Texas Administrative Code. Title 30, Rule 106.512: Stationary Engines and Turbines

12. Indiana Department of Environmental Management, Office of Air Quality, Section 9.326 IAC 10-5. Rule 5 Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE).

13. Document Prepared by the State of Connecticut, Department of Environmental Protection. Sec. 22a-174-22 Control of Nitrogen Oxides Emissions.

14. Alabama Department of Environmental Management. Air Division, Chapter 335-3-8, Nitrogen Oxides Emissions.

15. New York State, Department of Environmental Conservation Rule and Regulations, Subpart 227.2, Reasonable Available Control Technology (RACT) for Oxides of Nitrogen (NO_x).

16. New Jersey State Department of Environmental Protection, New Jersey Administrative Code Title 7, Chapter 27, Subchapter 19: Control and Prohibition of Air Pollution from Oxides of Nitrogen.

17. Pennsylvania Department of Environmental Protection, Air Quality Regulations, Small Source of NO_x Cement Kilns and Large Internal Combustion Engines, 25 PA Code CHS 121,129 and 145.

18. Code of Maryland Regulations. Title 26 Department of the Environment. Subtitle 11 Air Quality, Chapter 09: Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installation.

19. Antelope Valley Air Quality Management District. Rule 1110.2: Emissions from Stationary, Non-Road & Portable Internal Combustion Engines.

20. San Joaquin Valley Unified Air Pollution Control District Rule 4702: Internal Combustion Engines – Phase 2.

21. El Dorado County Air Pollution Control District Rule 233: Stationary Internal Combustion Engines.

22. Interstate Ozone Transport: Response to Court Decisions on the NO_x SIP Call, NO_x SIP Call Technical Amendments, and Section 126 Rules; Final Rule. 69 Fed. Reg. 21603, April 21, 2004.

23. South Coast Air Quality Management District, Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines.

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this proposed rulemaking contain incorporations by reference? No

10) Are there any other proposed amendments pending on this Part? Yes, in R08-19 (In the Matter of: Nitrogen Oxides Emissions from Various Source Categories: Amendments to 35 Ill. Adm. Code Parts 211 and 217)

11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R07-18 and be addressed to:

John Therriault, Chief Clerk
Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312-814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: The proposed rulemaking requires the owner or operator of an affected source to perform emissions monitoring, complete required tests, and maintain records and reports

C) Types of professional skills necessary for compliance: No professional skills beyond those currently required by the existing state and federal air pollution

control regulations applicable to affected sources will be required.

14) Regulatory Agenda on which this rulemaking was summarized: January 2007

The full text of the Proposed Amendments begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 217
NITROGEN OXIDES EMISSIONS

SUBPART A: GENERAL PROVISIONS

Section
217.100 Scope and Organization
217.101 Measurement Methods
217.102 Abbreviations and Units
217.103 Definitions
217.104 Incorporations by Reference

SUBPART B: NEW FUEL COMBUSTION EMISSION SOURCES

Section
217.121 New Emission Sources

SUBPART C: EXISTING FUEL COMBUSTION EMISSION SOURCES

Section
217.141 Existing Emission Sources in Major Metropolitan Areas

SUBPART K: PROCESS EMISSION SOURCES

Section
217.301 Industrial Processes

SUBPART O: CHEMICAL MANUFACTURE

Section
217.381 Nitric Acid Manufacturing Processes

SUBPART Q: STATIONARY RECIPROCATING
INTERNAL COMBUSTION ENGINES AND TURBINES

Section
217.386 Applicability
217.388 Control and Maintenance Requirements
217.390 Emissions Averaging Plans
217.392 Compliance
217.394 Testing and Monitoring
217.396 Recordkeeping and Reporting

SUBPART T: CEMENT KILNS

Section
217.400 Applicability
217.402 Control Requirements
217.404 Testing
217.406 Monitoring
217.408 Reporting

217.410 Recordkeeping

SUBPART U: NOx CONTROL AND TRADING PROGRAM FOR SPECIFIED NOx GENERATING UNITS
Section
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~~Authority~~AUTHORITY: Implementing Sections 9.9 and 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/9.9, 10, 27 and 28].

~~Source~~SOURCE: Adopted as Chapter 2: Air Pollution, Rule 207: Nitrogen Oxides Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 2 Ill. Reg. 17, p. 101, effective April 13, 1978; codified at 7 Ill. Reg. 13609; amended in R01-9 at 25 Ill. Reg. 128, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4597, effective March 15, 2001; amended in R01-16 and R01-17 at 25 Ill. Reg. 5914, effective April 17, 2001; amended in R07-18 at 31 Ill. Reg. ~~14254,~~14271, effective September 25, 2007; amended in R07-19 at ~~33.~~33 Ill. Reg. _____, effective _____.

SUBPART Q: STATIONARY RECIPROCATING
INTERNAL COMBUSTION ENGINES AND TURBINES

Section 217.386 Applicability

a) The provisions of this Subpart shall apply to all:

1) ~~A stationary~~ Stationary reciprocating internal combustion engines ~~engine~~ listed in Appendix G of this Part ~~is subject to the requirements of this Subpart Q~~.

2) Stationary reciprocating internal combustion engines and turbines located at a source that emits or has the potential to emit NOx in an amount equal to or greater than 100 tons per year and is in either the area composed of the Chicago area counties of Cook, DuPage, Kane, Lake, McHenry, and Will, the Townships of Aux Sable and Goose Lake in Grundy County, and the Township of Oswego in Kendall County, or in the area composed of the Metro-East counties of Jersey, Madison, Monroe, and St. Clair, and the Township of Baldwin in Randolph County, where:

A) The engine at nameplate capacity is rated at equal to or greater than 500 bhp output; or

B) The turbine is rated at equal to or greater than 3.5 MW (4,694 bhp) output at 14.7 psia, 59°°F and 60 percent relative humidity.

b) Notwithstanding subsection (a) of this Section, an affected unit is not subject to the requirements of this Subpart Q if the engine or turbine is or has been:

1) Used as an emergency or standby unit as defined by 35 Ill. Adm. Code 211.1920;

2) Used for research or for the purposes of performance verification or testing;

3) Used to control emissions from landfills, where at least 50 percent of the heat input is gas collected from a landfill;

4) Used for agricultural purposes, including the raising of crops or livestock that are produced on site, but not for associated businesses like packing operations, sale of equipment or repair; or

5) An engine with nameplate capacity rated at less than 1,500 bhp (1,118 kW) output, mounted on a chassis or skids, designed to be moveable, and moved to a different source at least once every 12 months.

c) If an exempt unit ceases to fulfill the criteria specified in subsection (b) of this Section, the owner or operator must notify the Agency in writing within 30 days after becoming aware that the exemption no longer applies and comply with the control requirements of this Subpart Q.

d) The requirements of this Subpart Q will continue to apply to any engine or turbine that has ever been subject to the control requirements of Section 217.388, even if the affected unit or source ceases to fulfill the rating requirements of subsection (a) of this Section or becomes eligible for an exemption pursuant to subsection (b) of this Section.

e) Where a construction permit, for which the application was submitted to the Agency prior to the adoption of this Subpart, is issued that relies on decreases in emissions of NOx from existing emission units for purposes of netting or emissions offsets, such NOx decreases shall remain creditable notwithstanding any requirements that may apply to the existing emissions units pursuant to this Subpart.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.388 Control and Maintenance Requirements

On and after the applicable compliance date in Section 217.392, an owner or operator of an affected unit must inspect and maintain affected units as required by subsection (~~c~~d) of this Section and comply with one of the following: ~~either~~ the applicable emissions concentration as set forth in subsection (a) of this Section, ~~or~~ the requirements for an emissions averaging plan as specified in subsection (b) of this Section, or the requirements for operation as a low usage unit as specified in subsection (c) of this Section.

a) The owner or operator ~~must~~ limits the discharge from an affected unit into the atmosphere of any gases that contain NOx to no more than:

1) 150 ppmv (corrected to 15 percent O2 on a dry basis) for spark-ignited rich-burn engines;

2) 210 ppmv (corrected to 15 percent O2 on a dry basis) for spark-ignited lean-burn engines, except for existing spark-ignited Worthington engines that are not listed in Appendix G;

3) 365 ppmv (corrected to 15 percent O2 on a dry basis) for existing spark-ignited Worthington engines that are not listed in Appendix G;

4) 660 ppmv (corrected to 15 percent O2 on a dry basis) for diesel engines;

5) 42 ppmv (corrected to 15 percent O2 on a dry basis) for gaseous fuel-fired turbines; and

6) 96 ppmv (corrected to 15 percent O2 on a dry basis) for liquid fuel-fired turbines.

b) The owner or operator ~~must complies~~complies with an emissions averaging plan as provided for in either subsection (b)(1) or (b)(2) of this Section:

1) For any affected unit identified by Section 217.386: The ~~the~~ requirements of the applicable emissions averaging plan as set forth in Section 217.390; or

2) For units identified in Section 217.386(a)(2): The requirements of an emissions averaging plan adopted pursuant to any other Subpart of this Part. For such affected engines and turbines the applicable requirements of this Subpart apply, including, but not limited to, calculation of NOx allowable and actual emissions rates, compliance dates, monitoring, testing, reporting, and recordkeeping.

c) The owner or operator operates the affected unit as a low usage unit pursuant to subsection (c)(1) or (c)(2) of this Section. Low usage units are not subject to the requirements of this Subpart Q except for the requirements to inspect and maintain the unit pursuant to subsection (d) of this Section, and retain records pursuant to ~~Sections~~Section 217.396(b) and (d). Either the limitation in subsection (c)(1) or (c)(2) may be utilized at a source, but not both:

1) The potential to emit (PTE) is no more than 100 TPY NOx aggregated from all engines and turbines located at the source that are not otherwise exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a) or (b) of this Section, and the NOx PTE limit is contained in a federally enforceable permit; or

2) The aggregate bhp-hrs/MW-hrs from all affected units located at the source that are not exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a) or (b) of this Section, are less than or equal to the bhp-hrs and MW-hrs operation limit listed in ~~subsection~~subsections (c)(2)(A) and (c)(2)(B) of this Section. For units that drive a natural gas compressor station but that are not located at a natural gas compressor station or storage facility, the operation limits of ~~subsection~~subsections (c)(2)(A) and (c)(2)(B)

of this Section must be contained in a federally enforceable permit. The operation limits are:

A) 8 mm bhp-hrs or less on an annual basis for engines; and

B) 20,000 MW-hrs or less on an annual basis for turbines.

d) The owner or operator ~~must~~ inspects and performs periodic maintenance on the affected unit, in accordance with a Maintenance Plan that documents:

1) For a unit not located at natural gas transmission compressor station or storage facility, either:

A) The manufacturer's recommended inspection and maintenance of the applicable air pollution control equipment, monitoring device, and affected unit; or

B) If the original equipment manual is not available or substantial modifications have been made that require an alternative procedure for the applicable air pollution control device, monitoring device, or affected unit, the owner or operator must establish a plan for inspection and maintenance in accordance with what is customary for the type of air pollution control equipment, monitoring device, and affected unit.

2) For a unit located at a natural gas compressor station or storage facility, the operator's maintenance procedures for the applicable air pollution control device, monitoring device, and affected unit.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.390 Emissions Averaging Plans

a) An owner or operator of certain affected units may comply through an emissions averaging plan.

1) The unit or units that commenced operation before January 1, ~~2002,~~2002 may be included in only ~~onean~~one emissions averaging plan, as follows~~:~~:

A) Units:

~~A)~~ ~~unitsUnits:~~

i) Listed in Appendix G and located at a single source or at multiple sources in Illinois, so long as the units are owned by the same company or parent company where the parent company has working control through stock ownership of its subsidiary corporations~~. A unit may be listed in only one emissions averaging plan; or~~; or

ii) Identified in Section 217.386(a)(2), and located at a single source or at multiple sources in either the Chicago area counties or Metro-East area counties, so long as the units are owned by the same company or parent company where the parent company has working control through stock ownership of its subsidiary corporations~~.~~;

B) Units that have a compliance date later than the control period for which the averaging plan is being used for compliance; and

C) Units which the owner or operator may claim as exempt pursuant to Section 217.386(b) but does not claim as exempt. For as long as such unit is included in an emissions averaging plan, it will be treated as an affected unit and subject to the applicable emission concentration, limits, testing, monitoring, recordkeeping and reporting requirements.

2) The following types of units may not be included in an emissions averaging plan:

A) Units ~~units~~ that commence operation after January 1, 2002, unless the unit replaces an engine or turbine that commenced operation on or before January 1, 2002, or it replaces an engine or turbine that replaced a unit that commenced operation on or before January 1, 2002. The new unit must be used for the same purpose as the replacement unit. The owner or operator of a unit that is shutdown and replaced must comply with the provisions of Section 217.396(~~d~~c)(3) before the replacement unit may be included in an emissions averaging plan.

B) Units which the owner or operator is claiming are exempt pursuant to Section 217.386(b) or as low usage units pursuant to Section 217.388(c).

b) An owner or operator must submit an emissions averaging plan to the Agency by the applicable compliance date set forth in Section 217.392, or by May 1 of the year in which the owner or operator is using a new emissions averaging plan to comply.

1) The plan must include, but is not limited to:

~~1~~A) The list of affected units included in the plan by unit identification number and permit number.

~~2~~B) A sample calculation demonstrating compliance using the methodology provided in subsection (f) of this Section for both the ozone season and calendar year.

2) The plan will be effective as follows:

A) An initial plan for units required to comply by January 1, ~~2008,~~2008 is effective January 1, 2008;

B) An initial plan for units required to comply by May 1, ~~2010,~~2010 is effective May 1, 2010 for those units;

C) A new plan submitted pursuant to subsection (b) of this Section but not submitted by January 1, 2008 or May 1, 2010 is effective retroactively to January 1 of the applicable year;

D) An amended plan submitted pursuant to subsection (c) of this Section is effective retroactively to January 1 of the applicable year; or

E) An amended plan submitted pursuant to subsection (d) of this Section is effective on the date it is received by the Agency.

c) An owner or operator may amend an emissions averaging plan only once per calendar year. An amended plan must include the information from subsection (b)(1) and may change, but is not limited to changing, the group of affected units or reflecting changes in the operation of the affected units. An amended plan must be submitted to the Agency by May 1 of the applicable calendar year

and is effective as set forth in subsection (b)(2) of this Section. If an amended plan is not received by the Agency by May 1 of the applicable calendar year, the previous year's plan will be the applicable emissions averaging plan.

d) Notwithstanding subsection (c) of this Section, an owner or operator, and the buyer, if applicable:~~, must~~

1) Must submit an updated emissions averaging plan or plans to the Agency within 60 days~~,~~ if a unit that is listed in an emissions averaging plan is sold or taken out of service.

2) May amend its emissions averaging plan to include another unit within 30 days ~~of~~after discovering that the unit no longer qualifies as an exempt unit pursuant to Section 217.386(b) or as a low usage unit pursuant to Section 217.388(c).

e) An owner or operator must:

1) Demonstrate compliance for both the ozone season (May 1 through September 30) and the calendar year (January 1 through December 31) by using the methodology and the units listed in the most recent emissions averaging plan submitted to the Agency pursuant to subsection (b)~~, (c), or (d)~~ of this Section; the higher of the monitoring or test data determined pursuant to Section 217.394; and the actual hours of operation for the applicable control period;

2) Notify the Agency by October 31 following the ozone season, if compliance cannot be demonstrated for that ozone season; and

3) Submit to the Agency by January 31 following each calendar year, a compliance report containing the information required by Section 217.396(c)(4).

f) The total mass of actual NOx emissions from the units listed in the emissions averaging plan must be equal to or less than the total mass of allowable NOx emissions for those units for both the ozone season and calendar year. The following equation must be used to determine compliance:

~~Nact = Nall~~

Where:

Nact =
~~Nall =~~
~~Nact =~~
Nall =

Nact=Total sum of the actual NOx mass emissions from units included in the averaging plan for each fuel used (lbs per ozone season and calendar year).Nall = Total sum of the allowable NOx mass emissions from units included in the averaging plan for each fuel used (lbs per ozone season and calendar year).EMall(i) = Total mass of allowable NOx emissions in lbs for a unit as determined in subsection (g)(2) or (h)(2) of this Section.EMact(i)= Total mass of actual NOx emissions in lbs for a unit as determined in subsection (g)(1) or (h)(1) of this Section.i ~~=~~ =Subscript denoting an individual unit and fuel used.n = Number of different units in the averaging plan.

g) For each unit in the averaging plan, and each fuel used by a unit, determine actual and allowable NOx emissions using the following equations, except as provided for in subsection (h) of this Section:

1) Actual emissions must be determined as follows:

~~EMact(i) = Eact(i) x Hi~~

2) Allowable emissions must be determined as follows:

~~EMall(i) = Eall(i) x Hi~~

Where:

EMact(i)= Total mass of actual NOx emissions in lbs for a unit, except as provided for in subsections (g)(3) and (g)(5) of this Section.
EMall(i) = Total mass of allowable NOx emissions in lbs for a unit, except as provided for in subsection (g)(3) of this Section. Eact = Actual NOx emission rate (lbs/mmBtu) calculated according to the above equation.
Eall = Allowable NOx emission rate (lbs/mmBtu) calculated according to the above equation. H = Heat input (mmBtu/ozone season or mmBtu/year) calculated from fuel flow meter and the heating value of the fuel used. Cd(act) = Actual concentration of NOx in lb/dscf (ppmv x 1.194 x 10-7) on a dry basis for the fuel used. Actual concentration is determined on each of the most recent test runs or monitoring passes performed pursuant to Section 217.394, whichever is higher.
Cd(all) = Allowable concentration of NOx in lb/dscf (allowable emission limit in ppmv specified in Section 217.388(a), except as provided for in subsection (g)(4), (g)(5), or (g)(6) of this Section, if applicable~~.~~,~~(~~ multiplied by 1.194 x 10-7) on a dry basis for the fuel used. Fd = The ratio of the gas volume of the products of combustion to the heat content of the fuel (dscf/mmBtu) as given in the table of F Factors included in 40 CFR 60, ~~Aappendix~~appendix A, Method 19 or as determined using 40 CFR 60, ~~Aappendix~~appendix A, Method 19. %O2d = Concentration of oxygen in effluent gas stream measured on a dry basis during each of the applicable tests or monitoring runs used for determining emissions, as represented by a whole number percent, e.g., for 18.7%O2d, 18.7 would be used. i = Subscript denoting an individual unit and the fuel used. j = Subscript denoting each test run or monitoring pass for an affected unit for a given fuel.m = The number of test runs or monitoring passes for an affected unit using a given fuel.

3) For a replacement unit that is electric-powered, the allowable NOx emissions from the affected unit that was replaced should be used in the averaging calculations and the actual NOx emissions for the electric-powered replacement unit (~~EM(i)act~~EMact elec(i)) are zero. Allowable NOx emissions for the electric-powered replacement are calculated using the actual total bhp-hrs generated by the electric-powered replacement unit on an ozone season and on an annual basis multiplied by the allowable NOx emission rate in lb/bhp-hr of the replaced unit. The allowable mass of NOx emissions from an electric-powered replacement unit (~~EM(i)all~~EMall elec(i)) must be determined by multiplying the

nameplate capacity of the unit by the hours operated during the ozone season or annually and the allowable NOx emission rate of the replaced unit (Eall rep) in lb/mmBtu converted to lb/bhp-hr. For this calculation the following equation should be used:

~~EMall elec(i) = bhp x OP x F x Eall rep(i)~~

Where:

EMall elec(i) = Mass of allowable NOx emissions from the electric-powered replacement unit in pounds per ozone season or calendar year.bhp = Nameplate capacity of the electric-powered replacement unit in brake-horsepower.OP = Operating hours during the ozone season or calendar year.F = Conversion factor of 0.0077 mmBtu/bhp-hr. Eall rep(i) = Allowable NOX emission rate (lbs/mmBtu) of the replaced unit.i = Subscript denoting an individual electric unit and the fuel used.

4) For a replacement unit that is not electric, the allowable NOx emissions rate used in the above equations set forth in subsection (g)(2) of this Section must be the higher of the actual NOx emissions as determined by testing or monitoring data or the applicable uncontrolled NOx emissions factor from Compilation of Air ~~pPollutant eEmission~~Pollutant Emission Factors: AP-42, Volume I: Stationary Point and Area Sources, as incorporated by reference in Section 217.104 for the unit that was replaced.

5) For a unit that is replaced with purchased power, the allowable NOx emissions rate used in the ~~above~~ equations set forth in subsection (g)(2) of this Section must be the emissions concentration ~~as~~ set forth in Section 217.388(a) or subsection (g)(6) of this Section, when applicable, for the type of unit that was replaced. For owners or operators replacing units with purchased power, the annual hours of operations that must be used are the calendar year hours of operation for the unit that was ~~shutdownshut~~shut down, averaged over the three-year period prior to the shutdown. The actual NOx emissions for the units replaced by purchased power (EM(i)act) are zero. These units may be included in any emissions averaging plan for no more than five years beginning with the calendar year that the replaced unit is shut down.

6) For units that have a later compliance ~~datenon-Appendix G units used in an emissions averaging plan~~date, allowable emissions rate used in the ~~above~~ equations set forth in subsection (g)(2) of this Section must be:

A) Prior to the applicable compliance date pursuant to Section 217.392, the higher of the actual NOx emissions as determined by testing or monitoring data~~,~~ or the applicable uncontrolled NOx emissions factor from Compilation of Air Pollutant Emission Factors: AP-42, Volume I: Stationary Point and Areas Sources, as incorporated by reference in Section 217.104~~)~~; or

B) On and after the unit's applicable compliance date pursuant to ~~section~~Section 217.392, the applicable emissions concentration for that type of unit pursuant to Section 217.388(a).

h) For units that use CEMS, the data must show that the total mass of actual NOx emissions determined pursuant to subsection (h)(1) of this Section is less than or equal to the allowable NOx emissions calculated in accordance with the equations in subsections (f) and (h)(2) of this Section for both the ozone

season and calendar year. The equations in subsection (g) of this Section will not apply.

1) The total mass of actual NOx emissions in lbs for a unit (EMact) must be the sum of the total mass of actual NOx emissions from each affected unit using CEMS data collected in accordance with 40 CFR 60 or 75, or alternate methodology that has been approved by the Agency or USEPA and included in a federally enforceable permit.

2) The allowable NOx emissions must be determined as follows:

Where:

EMall(i)= Total mass of allowable NOx emissions in lbs for a unit. ~~fFlowi = flowi=~~Stack flow (dscf/hr) for a given stack.Cdi = Allowable concentration of NOx (ppmv) specified in Section 217.388(a) ~~of this subpart~~ for a given stack~~.~~ (1.194 x 10-7~~)~~ converts to lb/dscf).j = subscript denoting each hour operation of a given unit.m = Total number of hours of operation of a unit.i = Subscript denoting an individual unit and the fuel used.
(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.392 Compliance

a) On and after January 1, 2008, an owner or operator of an affected engine listed in Appendix G may not operate the affected engine unless the requirements of this Subpart Q are met or the affected engine is exempt pursuant to Section 217.386(b).

b) On and after May 1, 2010, an owner or operator of a unit identified by Section 217.386(a)(2), and that is not listed in Appendix G, may not operate the affected unit unless the requirements of this Subpart Q are met or the affected unit is exempt pursuant to Section 217.386(b).

c) Owners and operators of an affected unit may use NOx allowances to meet the compliance requirements in Section 217.388 as specified ~~below~~in this subsection (c). A NOx allowance is defined as an allowance used to meet the requirements of a NOx trading program administered by USEPA where one allowance is equal to one ton of NOx emissions.

1) NOx allowances may be used only under the following circumstances:

A) An anomalous or unforeseen operating scenario inconsistent with historical operations for a particular ozone season or calendar year that causes an exceedance of an emissions or operating hour limitation;

B) To achieve compliance for no more than two events in any rolling five-year period; and

C) For a unit that is not listed in Appendix G.

2) The owner or operator of the affected unit must surrender to the Agency a NOx allowance for each ton or portion of a ton of NOx by which actual emissions

exceed allowed emissions. Where a low usage limitation under Section 217.388(c)(2) has been exceeded, the owner or operator of the affected unit must calculate the NOx emissions resulting from the number of hours that exceeded the operating hour low usage limit and surrender to the Agency one NOx allowance for each ton or portion of a ton of NOx that was calculated. For noncompliance with a seasonal limit in Section 217.388(b), only a NOx ozone season allowance must be used. For noncompliance with the emissions concentration limits in Section 217.388(a), low usage limitations in Section 217.388(c) or an annual limitation in an emissions averaging plan in Section 217.388(b), only a NOx annual allowance may be used.

3) The owner or operator must submit a report documenting the circumstances that required the use of NOx allowances and identify what actions will be taken in subsequent years to address these circumstances and must transfer the NOx allowances to the Agency's federal NOx retirement account. The report and the transfer of allowances must be submitted by October 31 for exceedances during the ozone season and March 1 for exceedances of the emissions concentration limits, the annual emissions averaging plan limits, or low usage limitations. The report must contain the NATS serial numbers of the NOx allowances.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.394 Testing and Monitoring

a) An owner or operator must conduct an initial performance test pursuant to subsection (c)(1) or (c)(2) of this Section as follows:

1) By January 1, 2008, for affected engines listed in Appendix G. Performance tests must be conducted on units listed in Appendix G, even if the unit is included in an emissions averaging plan pursuant to Section 217.388(b).

2) By the applicable compliance date ~~as~~ set forth in Section 217.392, or ~~withinWithin~~within the first 876 hours of operation per calendar year, whichever is later:

A) ~~Performance tests must be conducted on~~ For affected units not listed in Appendix G that operate more than 876 hours per calendar year; and

B) For units that are not affected units that are included in an emissions averaging plan and operate more than 876 hours per calendar year.

3) Once within the five-year period after the applicable compliance date as set forth in Section 217.392:

A) For affected units that operate fewer than 876 hours per calendar year; and~~. Performance tests must be conducted on~~

B) For units that are not affected units that are included in an emissions averaging plan and that operate fewer than 876 hours per calendar year.

b) An owner or operator of an engine or turbine must conduct subsequent performance tests pursuant to subsection (~~c~~b)(1), ~~or~~ (~~c~~b)(2), and (b)(3) of this Section as follows:

1) For affected engines listed in Appendix G and all units included in an emissions averaging plan, once every five years. Testing must be performed in

the calendar year by May 1 or within 60 days after starting operation, whichever is later;

2) If the monitored data shows that the unit is not in compliance with the applicable emissions concentration or emissions averaging plan, the owner or operator must report the deviation to the Agency in writing within 30 days and conduct a performance test pursuant to subsection (c) of this Section within 90 days of the determination of noncompliance; and

3) When, in the opinion of the Agency or USEPA, it is necessary to conduct testing to demonstrate compliance with Section 217.388, the owner or operator of a unit must, at his or her own expense, conduct the test in accordance with the applicable test methods and procedures specified in this Section within 90 days after receipt of a notice to test from the Agency or USEPA.

c) Testing Procedures:

1) For an engine: The owner or operator must conduct a performance test using Method 7 or 7E of 40 CFR 60, appendix A, as incorporated by reference in Section 217.104. Each compliance test must consist of three separate runs, each lasting a minimum of 60 minutes. NOx emissions must be measured while the affected unit is operating at peak load. If the unit combusts more than one type of fuel (gaseous or liquid), including backup fuels, a separate performance test is required for each fuel.

2) For a turbine ~~included in an emissions averaging plan~~: The owner or operator must conduct a performance test using the applicable procedures and methods in 40 CFR 60.4400, as incorporated by reference in Section 217.104.

d) Monitoring: Except for those years in which a performance test is conducted pursuant to subsection (a) or (b) of this Section, the owner or operator of an affected unit or a unit included in an emissions averaging plan must monitor NOx concentrations annually, once between January 1 and May 1 or within the first 876 hours of operation per calendar year, whichever is later. If annual operation is less than 876 hours per calendar year, each affected unit must be monitored at least once every five years. Monitoring must be performed as follows:

1) A portable NOx monitor ~~utilizingand~~and method ASTM D6522-00, as incorporated by reference in Section 217.104, or a method approved by the Agency must be used. If the engine or turbine combusts both liquid and gaseous fuels as primary or backup fuels, separate monitoring is required for each fuel.

2) NOx and O2 concentrations measurements must be taken three times for a duration of at least 20 minutes. Monitoring must be done at highest achievable load. The concentrations from the three monitoring runs must be averaged to determine whether the affected unit is in compliance with the applicable emissions concentration or emissions averaging plan, as specified in Section 217.388.

e) Instead of complying with the requirements of subsections (a), (b), (c) and (d) of this Section, an owner or operator may install and operate a CEMS on an affected unit that meets the applicable requirements of 40 CFR 60, subpart A~~,~~ and appendix B, incorporated by reference in Section 217.104, and complies with the quality assurance procedures specified in 40 CFR 60, appendix F~~,~~ or 40 CFR 75, as incorporated by reference in Section 217.104, or an alternate procedure as approved by the Agency or USEPA in a federally enforceable permit. The CEMS

must be used to demonstrate compliance with the applicable emissions concentration or emissions averaging plan only on an ozone season and annual basis.

f) The testing and monitoring requirements of this Section do not apply to affected units in compliance with the requirements of the low usage limitations pursuant to Section 217.388(c) or low usage units using NOx allowances to comply with the requirements of this Subpart pursuant to Section 217.392(c). Notwithstanding ~~the above~~these circumstances, when, in the opinion of the Agency or USEPA, it is necessary to conduct testing to demonstrate compliance with Section 217.388, the owner or operator of a unit must, at his or her own expense, conduct the test in accordance with the applicable test methods and procedures specified in this Section within 90 days after receipt of a notice to test from the Agency or USEPA.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.396 Recordkeeping and Reporting

a) Recordkeeping. The owner or operator of a unit included in an emissions averaging plan or an affected unit that is not exempt pursuant to Section 217.386(b) and is not subject to the low usage exemption of Section 217.388(c) ~~of an Appendix G unit or a unit included in an emissions averaging plan~~ must maintain records that demonstrate compliance with the requirements of this Subpart Q, which include, but are not limited to:

1) Identification, type (e.g., lean-burn, gas-fired), and location of each unit.

2) Calendar date of the record.

3) The number of hours the unit operated on a monthly basis~~,~~ and during each ozone season.

4) Type and quantity of the fuel used on a daily basis.

5) The results of all monitoring performed on the unit and reported deviations.

6) The results of all tests performed on the unit.

7) The plan for performing inspection and maintenance of the units, air pollution control equipment, and the applicable monitoring device pursuant to Section 217.388(d)~~(c)~~.

8) A log of inspections and maintenance performed on the unit's air emissions, monitoring device, and air pollution control device. These records must include, at a minimum, date, load levels and any manual adjustments, along with the reason for the adjustment (e.g., air to fuel ratio, timing or other settings).

9) If complying with the emissions averaging plan provisions of Sections 217.388(b) and 217.390, copies of the calculations used to demonstrate compliance with the ozone season and annual control period limits, noncompliance reports for the ozone season, and ozone and annual control period compliance reports submitted to the Agency.

10) Identification of time periods for which operating conditions and pollutant data were not obtained by either the CEMS or alternate monitoring procedures, including the reasons for not obtaining sufficient data and a description of corrective actions taken.

11) Any ~~NOx~~Nox allowance reconciliation reports submitted pursuant to Section 217.392(c)(3).

b) The owner or operator of an affected unit or unit included in an emissions averaging plan must maintain the records required by ~~subsectionssubsection~~subsection (a) or (d) of this Section, as applicable, for a period of five~~-~~ years at the source at which the unit is located. The records must be made available to the Agency and USEPA upon request.

c) Reporting Requirements

1) The owner or operator must notify the Agency in writing 30 days and five days prior to testing, pursuant to Section 217.394(a) and (b) and:

A) If, after the 30-days notice for an initially scheduled test is sent, there is a delay (e.g., due to operational problems) in conducting the performance test as scheduled, the owner or operator of the unit must notify the Agency as soon as possible of the delay in the original test date, either by providing at least seven days prior notice of the rescheduled date of the performance test~~,~~ or by arranging a new test date with the Agency by mutual agreement;

B) Provide a testing protocol to the Agency 60 days prior to testing; and

C) Not later than 30 days after the completion of the test, submit the results of the test to the Agency.

2) Pursuant to the requirements for monitoring in Section 217.394(d), the owner or operator of the unit must report to the Agency any monitored exceedances of the applicable NOx concentration from Section 217.388(a) or (b) within 30 days after performing the monitoring.

3) Within 90 days after permanently shutting down an affected unit or a unit included in an emissions averaging plan, the owner or operator of the unit must withdraw or amend the applicable permit to reflect that the unit is no longer in service.

4) If demonstrating compliance through an emissions averaging plan:

A) By October 31 following the applicable ozone season, the owner or operator must notify the Agency if he or she cannot demonstrate compliance for that ozone season; and

B) By January ~~3130~~31 following the applicable calendar year, the owner or operator must submit to the Agency a report that demonstrates the following:

i) For all units that are part of the emissions averaging plan, the total mass of allowable NOx emissions for the ozone season and for the annual control period;

ii) The total mass of actual NOx emissions for the ozone season and annual control period for each unit included in the averaging plan;

iii) The calculations that demonstrate that the total mass of actual NOx emissions are less than the total mass of allowable NOx emissions using equations in Sections 217.390(f) and (g); and

iv) The information required to determine the total mass of actual NOx emissions and the calculations performed in subsection (~~ed~~c)(4)(B)(iii) of this Section.

5) If operating a CEMS, the owner or operator must submit an excess emissions and monitoring systems performance report in accordance with the requirements of 40 CFR 60.7(c) and ~~60.13,~~60.13 or 40 CFR 75, incorporated by reference in Section 217.104, or an alternate procedure approved by the Agency or USEPA and included in a federally enforceable permit.

6) If using NOx allowances to comply with the requirements of Section 217.388, reconciliation reports as required by Section 217.392(c)(3).

d) The owner or operator of an affected unit that is complying with the low usage provisions of Section 217.388(c) must:

1) For each unit complying with Section 217.388(c)(1), maintain a record of the NOx emissions for each calendar year;

2) For each unit complying with Section 217.388(c)(2), maintain a record of bhp or MW -hours operated each calendar year; and

3) For each unit utilizing NOx allowances for compliance pursuant to Section 217.392(c)(3), maintain and submit any NOx allowance reconciliation reports.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

~~ILLINOIS REGISTER~~

JCAR350217-0817075r01

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

Document comparison done by DeltaView on Thursday, October 23, 2008 11:29:48 AM

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Moved to	0
Style change	0
Format changed	0
Total changes	160

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 217
NITROGEN OXIDES EMISSIONS

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AUTHORITY: Implementing Sections 9.9 and 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/9.9, 10, 27 and 28].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 207: Nitrogen Oxides Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 2 Ill. Reg. 17, p. 101, effective April 13, 1978; codified at 7 Ill. Reg. 13609; amended in R01-9 at 25 Ill. Reg. 128, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4597, effective March 15, 2001; amended in R01-16 and R01-17 at 25 Ill. Reg. 5914, effective April 17, 2001; amended in R07-18 at 31 Ill. Reg. 14271, effective September 25, 2007; amended in R07-19 at 33 Ill. Reg. _____, effective _____.

SUBPART Q: STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES AND TURBINES

Section 217.386 Applicability

a) The provisions of this Subpart shall apply to all:

1) Stationary~~A stationary~~ reciprocating internal combustion engines~~engine~~ listed in Appendix G of this Part ~~is subject to the requirements of this Subpart Q~~.

2) Stationary reciprocating internal combustion engines and turbines located at a source that emits or has the potential to emit NO_x in an amount equal to or greater than 100 tons per year and is in either the area composed of the Chicago area counties of Cook, DuPage, Kane, Lake, McHenry, and Will, the Townships of Aux Sable and Goose Lake in Grundy County, and the Township of Oswego in Kendall County, or in the area composed of the Metro-East counties of Jersey, Madison, Monroe, and St. Clair, and the Township of Baldwin in Randolph County, where:

A) The engine at nameplate capacity is rated at equal to or greater than 500 bhp output; or

B) The turbine is rated at equal to or greater than 3.5 MW (4,694 bhp) output at 14.7 psia, 59°F and 60 percent relative humidity.

b) Notwithstanding subsection (a) of this Section, an affected unit is not subject to the requirements of this Subpart Q if the engine or turbine is or has been:

1) Used as an emergency or standby unit as defined by 35 Ill. Adm. Code 211.1920;

2) Used for research or for the purposes of performance verification or testing;

3) Used to control emissions from landfills, where at least 50 percent of the heat input is gas collected from a landfill;

4) Used for agricultural purposes, including the raising of crops or livestock that are produced on site, but not for associated businesses like packing operations, sale of equipment or repair; or

5) An engine with nameplate capacity rated at less than 1,500 bhp (1,118 kW) output, mounted on a chassis or skids, designed to be moveable, and moved to a different source at least once every 12 months.

c) If an exempt unit ceases to fulfill the criteria specified in subsection (b) of this Section, the owner or operator must notify the Agency in writing within 30 days after becoming aware that the exemption no longer applies and comply with the control requirements of this Subpart Q.

d) The requirements of this Subpart Q will continue to apply to any engine or turbine that has ever been subject to the control requirements of Section 217.388, even if the affected unit or source ceases to fulfill the rating requirements of subsection (a) of this Section or becomes eligible for an exemption pursuant to subsection (b) of this Section.

e) Where a construction permit, for which the application was submitted to the Agency prior to the adoption of this Subpart, is issued that relies on decreases in emissions of NO_x from existing emission units for purposes of netting or emissions offsets, such NO_x decreases shall remain creditable notwithstanding any requirements that may apply to the existing emissions units pursuant to this Subpart.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.388 Control and Maintenance Requirements

On and after the applicable compliance date in Section 217.392, an owner or operator of an affected unit must inspect and maintain affected units as required by subsection (de) of this Section and comply with one of the following: ~~either~~ the applicable emissions concentration as set forth in subsection (a) of this Section, ~~or~~ the requirements for an emissions averaging plan as specified in subsection (b) of this Section, or the requirements for operation as a low usage unit as specified in subsection (c) of this Section.

a) The owner or operator limits ~~must limit~~ the discharge from an affected unit into the atmosphere of any gases that contain NO_x to no more than:

1) 150 ppmv (corrected to 15 percent O_2 on a dry basis) for spark-ignited rich-burn engines;

2) 210 ppmv (corrected to 15 percent O_2 on a dry basis) for spark-ignited lean-burn engines, except for existing spark-ignited Worthington engines that are not listed in Appendix G;

3) 365 ppmv (corrected to 15 percent O_2 on a dry basis) for existing spark-ignited Worthington engines that are not listed in Appendix G;

4) 660 ppmv (corrected to 15 percent O_2 on a dry basis) for diesel engines;

5) 42 ppmv (corrected to 15 percent O_2 on a dry basis) for gaseous fuel-fired turbines; and

6) 96 ppmv (corrected to 15 percent O_2 on a dry basis) for liquid fuel-fired turbines.

b) The owner or operator complies ~~must comply~~ with an emissions averaging plan as provided for in either subsection (b)(1) or (b)(2) of this Section:

1) For any affected unit identified by Section 217.386: The ~~the~~ requirements of the applicable emissions averaging plan as set forth in Section 217.390; or ~~.~~

2) For units identified in Section 217.386(a)(2): The requirements of an emissions averaging plan adopted pursuant to any other Subpart of this Part. For such affected engines and turbines the applicable requirements

of this Subpart apply, including, but not limited to, calculation of NO_x allowable and actual emissions rates, compliance dates, monitoring, testing, reporting, and recordkeeping.

c) The owner or operator operates the affected unit as a low usage unit pursuant to subsection (c)(1) or (c)(2) of this Section. Low usage units are not subject to the requirements of this Subpart Q except for the requirements to inspect and maintain the unit pursuant to subsection (d) of this Section, and retain records pursuant to Section 217.396(b) and (d). Either the limitation in subsection (c)(1) or (c)(2) may be utilized at a source, but not both:

1) The potential to emit (PTE) is no more than 100 TPY NO_x aggregated from all engines and turbines located at the source that are not otherwise exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a) or (b) of this Section, and the NO_x PTE limit is contained in a federally enforceable permit; or

2) The aggregate bhp-hrs/MW-hrs from all affected units located at the source that are not exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a) or (b) of this Section, are less than or equal to the bhp-hrs and MW-hrs operation limit listed in subsections (c)(2)(A) and (c)(2)(B) of this Section. For units that drive a natural gas compressor station but that are not located at a natural gas compressor station or storage facility, the operation limits of subsections (c)(2)(A) and (c)(2)(B) of this Section must be contained in a federally enforceable permit. The operation limits are:

A) 8 mm bhp-hrs or less on an annual basis for engines; and

B) 20,000 MW-hrs or less on an annual basis for turbines.

d) The owner or operator inspects~~must inspect~~ and performs~~perform~~ periodic maintenance on the affected unit, in accordance with a Maintenance Plan that documents:

1) For a unit not located at natural gas transmission compressor station or storage facility, either:

A) The manufacturer's recommended inspection and maintenance of the applicable air pollution control equipment, monitoring device, and affected unit; or

B) If the original equipment manual is not available or substantial modifications have been made that require an alternative procedure for the applicable air pollution control device, monitoring device, or affected unit, the owner or operator must establish a plan for inspection and maintenance in accordance with what is customary for the type of air pollution control equipment, monitoring device, and affected unit.

2) For a unit located at a natural gas compressor station or storage facility, the operator's maintenance procedures for the applicable air pollution control device, monitoring device, and affected unit.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.390 Emissions Averaging Plans

a) An owner or operator of certain affected units may comply through an emissions averaging plan.

1) The unit or units that commenced operation before January 1, 2002~~,~~ may be included in only one~~an~~ emissions averaging plan, as follows:

A) Units:~~units~~

i) Listed in Appendix G and located at a single source or at multiple sources in Illinois, so long as the units are owned by the same company or parent company where the parent company has working control through stock ownership of its subsidiary corporations; or~~. A unit may be listed in only one emissions averaging plan.~~

ii) Identified in Section 217.386(a)(2), and located at a single source or at multiple sources in either the Chicago area counties or Metro-East area counties, so long as the units are owned by the same company or parent company where the parent company has working control through stock ownership of its subsidiary corporations;

B) Units that have a compliance date later than the control period for which the averaging plan is being used for compliance; and

C) Units which the owner or operator may claim as exempt pursuant to Section 217.386(b) but does not claim as exempt. For as long as

such unit is included in an emissions averaging plan, it will be treated as an affected unit and subject to the applicable emission concentration, limits, testing, monitoring, recordkeeping and reporting requirements.

2) The following types of units may not be included in an emissions averaging plan:

A) Units~~units~~ that commence operation after January 1, 2002, unless the unit replaces an engine or turbine that commenced operation on or before January 1, 2002, or it replaces an engine or turbine that replaced a unit that commenced operation on or before January 1, 2002. The new unit must be used for the same purpose as the replacement unit. The owner or operator of a unit that is shutdown and replaced must comply with the provisions of Section 217.396(c~~d~~)(3) before the replacement unit may be included in an emissions averaging plan.

B) Units which the owner or operator is claiming are exempt pursuant to Section 217.386(b) or as low usage units pursuant to Section 217.388(c).

b) An owner or operator must submit an emissions averaging plan to the Agency by the applicable compliance date set forth in Section 217.392, or by May 1 of the year in which the owner or operator is using a new emissions averaging plan to comply.

1) The plan must include, but is not limited to:

A~~1~~) The list of affected units included in the plan by unit identification number and permit number.

B~~2~~) A sample calculation demonstrating compliance using the methodology provided in subsection (f) of this Section for both the ozone season and calendar year.

2) The plan will be effective as follows:

A) An initial plan for units required to comply by January 1, 2008 is effective January 1, 2008;

B) An initial plan for units required to comply by May 1, 2010 is effective May 1, 2010 for those units;

C) A new plan submitted pursuant to subsection (b) of this Section but not submitted by January 1, 2008 or May 1, 2010 is effective retroactively to January 1 of the applicable year;

D) An amended plan submitted pursuant to subsection (c) of this Section is effective retroactively to January 1 of the applicable year; or

E) An amended plan submitted pursuant to subsection (d) of this Section is effective on the date it is received by the Agency.

c) An owner or operator may amend an emissions averaging plan only once per calendar year. An amended plan must include the information from subsection (b)(1) and may change, but is not limited to changing, the group of affected units or reflecting changes in the operation of the affected units. An amended plan must be submitted to the Agency by May 1 of the applicable calendar year and is effective as set forth in subsection (b)(2) of this Section. If an amended plan is not received by the Agency by May 1 of the applicable calendar year, the previous year's plan will be the applicable emissions averaging plan.

d) Notwithstanding subsection (c) of this Section, an owner or operator, and the buyer, if applicable:~~, must~~

1) Must submit an updated emissions averaging plan or plans to the Agency within 60 days~~,~~ if a unit that is listed in an emissions averaging plan is sold or taken out of service.

2) May amend its emissions averaging plan to include another unit within 30 days after discovering that the unit no longer qualifies as an exempt unit pursuant to Section 217.386(b) or as a low usage unit pursuant to Section 217.388(c).

e) An owner or operator must:

1) Demonstrate compliance for both the ozone season (May 1 through September 30) and the calendar year (January 1 through December 31) by using the methodology and the units listed in the most recent emissions averaging plan submitted to the Agency pursuant to subsection (b)~~, (c), or (d)~~ of this Section; the higher of the monitoring or test data determined pursuant to Section 217.394; and the actual hours of operation for the applicable control period;

2) Notify the Agency by October 31 following the ozone season, if compliance cannot be demonstrated for that ozone season; and

3) Submit to the Agency by January 31 following each calendar year, a compliance report containing the information required by Section 217.396(c)(4).

f) The total mass of actual NO_x emissions from the units listed in the emissions averaging plan must be equal to or less than the total mass of allowable NO_x emissions for those units for both the ozone season and calendar year. The following equation must be used to determine compliance:

$$N_{act} \leq N_{all}$$

Where:

$$N_{act} = \sum_{i=1}^{n} EM_{act(i)}$$

$$N_{all} = \sum_{i=1}^{n} EM_{all(i)}$$

N_{act} = Total sum of the actual NO_x mass emissions from units included in the averaging plan for each fuel used (lbs per ozone season and calendar year).

N_{all} = Total sum of the allowable NO_x mass emissions from units included in the averaging plan for each fuel used (lbs per ozone season and calendar year).

$EM_{all(i)}$ = Total mass of allowable NO_x emissions in lbs for a unit as determined in subsection (g)(2) or (h)(2) of this Section.

$EM_{act(i)}$ = Total mass of actual NO_x emissions in lbs for a unit as determined in subsection (g)(1) or (h)(1) of this Section.

i = Subscript denoting an individual unit and fuel used.

n = Number of different units in the averaging plan.

g) For each unit in the averaging plan, and each fuel used by a unit, determine actual and allowable NO_x emissions using the following equations, except as provided for in subsection (h) of this Section:

1) Actual emissions must be determined as follows:

$$EM_{act(i)} = E_{act(i)} \times H_i$$

$$E_{act(i)} = \frac{\sum_{j=1}^{m} C_{d(act(j))} \times F_d \times \left(\frac{20.9}{20.9 - \%O_{2d(j)}} \right)}{m}$$

2) Allowable emissions must be determined as follows:

$$EM_{all(i)} = E_{all(i)} \times H_i$$

$$E_{all(i)} = \frac{\sum_{j=1}^{m} C_{d(all(j))} \times F_d \times \left(\frac{20.9}{20.9 - \%O_{2d(j)}} \right)}{m}$$

Where:

$EM_{act(i)}$= Total mass of actual NO_x emissions in lbs for a unit, except as provided for in subsections (g)(3) and (g)(5) of this Section.

$EM_{all(i)}$= Total mass of allowable NO_x emissions in lbs for a unit, except as provided for in subsection (g)(3) of this Section.

E_{act} = Actual NO_x emission rate (lbs/mmBtu) calculated according to the above equation.

E_{all} = Allowable NO_x emission rate (lbs/mmBtu) calculated according to the above equation.

H = Heat input (mmBtu/ozone season or mmBtu/year) calculated from fuel flow meter and the heating value of the fuel used.

$C_{d(act)}$ = Actual concentration of NO_x in lb/dscf (ppmv x 1.194 x10^{-7}) on a dry basis for the fuel used. Actual concentration is determined on each of the most recent test runs~~run~~ or monitoring passes~~pass~~ performed pursuant to Section 217.394, whichever is higher.

$C_{d(all)}$ = Allowable concentration of NO_x in lb/dscf (allowable emission limit in ppmv specified in Section 217.388(a), except as provided for in subsection (g)(4), (g)(5), or (g)(6) of this Section, if applicable, multiplied by 1.194 x 10^{-7}) on a dry basis for the fuel used.

F_d = The ratio of the gas volume of the products of combustion to the heat content of the fuel (dscf/mmBtu) as given in the table of F Factors included in 40 CFR 60, appendix~~Appendix~~ A, Method 19 or as determined using 40 CFR 60, appendix~~Appendix~~ A, Method 19.

$\%O_{2d}$ = Concentration of oxygen in effluent gas stream measured on a dry basis during each of the applicable teststest or monitoring runs used for determining emissions, as represented by a whole number percent, e.g., for 18.7%O_{2d}, 18.7 would be used.

i = Subscript denoting an individual unit and the fuel used.

j = Subscript denoting each test run or monitoring pass for an affected unit for a given fuel.

m = The number of test runs or monitoring passes for an affected unit using a given fuel.

3) For a replacement unit that is electric-powered, the allowable NO_x emissions from the affected unit that was replaced should be used in the averaging calculations and the actual NO_x emissions for the electric-powered replacement unit ($EM_{(i)act\ elec(i)}$) are zero. Allowable NO_x emissions for the electric-powered replacement are calculated using the actual total bhp-hrs generated by the electric-powered replacement unit on an ozone season and on an annual basis multiplied by the allowable NO_x emission rate in lb/bhp-hr of the replaced unit. The allowable mass of NO_x emissions from an electric-powered replacement unit ($EM_{(i)all\ elec(i)}$) must be determined by multiplying the nameplate capacity of the unit by the hours operated during the ozone season or annually and the allowable NO_x emission rate of the replaced unit ($E_{all\ rep}$) in lb/mmBtu converted to lb/bhp-hr. For this calculation the following equation should be used:

$$EM_{all\ \ elec(i)} = bhp \times OP \times F \times E_{all\ rep(i)}$$

Where:

$EM_{all\ elec(i)}$ = Mass of allowable NO_x emissions from the electric-powered replacement unit in pounds per ozone season or calendar year.

bhp = Nameplate capacity of the electric-powered replacement unit in brake horsepower.

OP = Operating hours during the ozone season or calendar year.

F = Conversion factor of 0.0077 mmBtu/bhp-hr.

$E_{all\ rep(i)}$ = Allowable NO_X emission rate (lbs/mmBtu) of the replaced unit.

i = Subscript denoting an individual electric unit and the fuel used.

4) For a replacement unit that is not electric, the allowable NO_x emissions rate used in the above equations set forth in subsection (g)(2) of this Section must be the higher of the actual NO_x emissions as determined by testing or monitoring data or the applicable uncontrolled NO_x emissions factor from Compilation of Air Pollutant Emission~~pollutant emission~~ Factors: AP-42, Volume I: Stationary Point and Area Sources, as incorporated by reference in Section 217.104 for the unit that was replaced.

5) For a unit that is replaced with purchased power, the allowable NO_x emissions rate used in the ~~above~~ equations set forth in subsection (g)(2) of this Section must be the emissions concentration ~~as~~ set forth in Section 217.388(a) or subsection (g)(6) of this Section, when applicable, for the type of unit that was replaced. For owners or operators replacing units with purchased power, the annual hours of operations that must be used are the calendar year hours of operation for the unit that was shut down~~shutdown~~, averaged over the three-year period prior to the shutdown. The actual NO_x emissions for the units replaced by purchased power ($EM_{(i)act}$) are zero. These units may be included in any emissions averaging plan for no more than five years beginning with the calendar year that the replaced unit is shut down.

6) For units that have a later compliance date~~non-Appendix G units used in an emissions averaging plan~~, allowable emissions rate used in the ~~above~~ equations set forth in subsection (g)(2) of this Section must be:

A) Prior to the applicable compliance date pursuant to Section 217.392, the higher of the actual NO_x emissions as determined by testing or monitoring data~~,~~ or the applicable uncontrolled NO_x emissions factor from Compilation of Air Pollutant Emission Factors: AP-42, Volume I: Stationary Point and Areas Sources, as incorporated by reference in Section 217.104; or~~)~~

B) On and after the unit's applicable compliance date pursuant to Section 217.392, the applicable emissions concentration for that type of unit pursuant to Section 217.388(a).

h) For units that use CEMS, the data must show that the total mass of actual NO_x emissions determined pursuant to subsection (h)(1) of this Section is less than or equal to the allowable NO_x emissions calculated in accordance with the equations in subsections (f) and (h)(2) of this Section for both the ozone season and calendar year. The equations in subsection (g) of this Section will not apply.

1) The total mass of actual NO_x emissions in lbs for a unit (EM_{act}) must be the sum of the total mass of actual NO_x emissions from each affected unit using CEMS data collected in accordance with 40 CFR 60 or 75, or alternate methodology that has been approved by the Agency or USEPA and included in a federally enforceable permit.

2) The allowable NO_x emissions must be determined as follows:

$$EM_{all(i)} = \sum_{j=1}^{m} (Cd_i \times flow_i \times 1.194 \times 10^{-7})$$

~~$$EM_{all(i)} = \sum_{j=1}^{m} (Cd_i \times flowstack_i \times 1.194 \times 10^{-7})$$~~

Where:

$EM_{all(i)}$ = Total mass of allowable NO_x emissions in lbs for a unit.

flow~~Flow~~$_i$ = Stack flow (dscf/hr) for a given stack.

Cd_i = Allowable concentration of NO_x (ppmv) specified in Section 217.388(a) ~~of this subpart~~ for a given stack. ~~(~~1.194×10^{-7}~~)~~ converts to lb/dscf).

j = subscript denoting each hour operation of a given unit.

m = Total number of hours of operation of a unit.

i = Subscript denoting an individual unit and the fuel used.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.392 Compliance

a) On and after January 1, 2008, an owner or operator of an affected engine listed in Appendix G may not operate the affected engine unless the requirements of this Subpart Q are met or the affected engine is exempt pursuant to Section 217.386(b).

b) On and after May 1, 2010, an owner or operator of a unit identified by Section 217.386(a)(2), and that is not listed in Appendix G, may not operate the affected unit unless the requirements of this Subpart Q are met or the affected unit is exempt pursuant to Section 217.386(b).

c) Owners and operators of an affected unit may use NO_x allowances to meet the compliance requirements in Section 217.388 as specified in this subsection (c). A NO_x allowance is defined as an allowance used to meet the requirements of a NO_x trading program administered by USEPA where one allowance is equal to one ton of NO_x emissions.

1) NO_x allowances may be used only under the following circumstances:

A) An anomalous or unforeseen operating scenario inconsistent with historical operations for a particular ozone season or calendar year that causes an exceedance of an emissions or operating hour limitation;

B) To achieve compliance for no more than two events in any rolling five-year period; and

C) For a unit that is not listed in Appendix G.

2) The owner or operator of the affected unit must surrender to the Agency a NO_x allowance for each ton or portion of a ton of NO_x by which actual emissions exceed allowed emissions. Where a low usage limitation under Section 217.388(c)(2) has been exceeded, the owner or operator of the affected unit must calculate the NO_x emissions resulting from the number of hours that exceeded the operating hour low usage limit and surrender to the Agency one NO_x allowance for each ton or portion of a ton of NO_x that was calculated. For noncompliance with a seasonal limit in Section 217.388(b), only a NO_x ozone season allowance must be used. For noncompliance with the emissions concentration limits in Section 217.388(a), low usage limitations in Section 217.388(c) or an annual limitation in an emissions averaging plan in Section 217.388(b), only a NO_x annual allowance may be used.

3) The owner or operator must submit a report documenting the circumstances that required the use of NO_x allowances and identify what actions will be taken in subsequent years to address these circumstances and must transfer the NO_x allowances to the Agency's federal NO_x retirement account. The report and the transfer of allowances must be submitted by October 31 for exceedances during the ozone season and

March 1 for exceedances of the emissions concentration limits, the annual emissions averaging plan limits, or low usage limitations. The report must contain the NATS serial numbers of the NO_x allowances.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.394 Testing and Monitoring

a) An owner or operator must conduct an initial performance test pursuant to subsection (c)(1) or (c)(2) of this Section as follows:

1) By January 1, 2008, for affected engines listed in Appendix G. Performance tests must be conducted on units listed in Appendix G, even if the unit is included in an emissions averaging plan pursuant to Section 217.388(b).

2) By the applicable compliance date set forth in Section 217.392, or within ~~Within~~ the first 876 hours of operation per calendar year, whichever is later:~~.~~

A) For affected units not listed in Appendix G that operate more than 876 hours per calendar year; and ~~Performance tests must be conducted on~~

B) For units that are not affected units that are included in an emissions averaging plan and operate more than 876 hours per calendar year.

3) Once within the five-year period after the applicable compliance date as set forth in Section 217.392:

A) For affected units that operate fewer than 876 hours per calendar year; and~~. Performance tests must be conducted on~~

B) For units that are not affected units that are included in an emissions averaging plan and that operate fewer than 876 hours per calendar year.

b) An owner or operator of an engine or turbine must conduct subsequent performance tests pursuant to subsection (be)(1), ~~or~~ (be)(2), and (b)(3) of this Section as follows:

1) For affected engines listed in Appendix G and all units included in an emissions averaging plan, once every five years. Testing must be performed in the calendar year by May 1 or within 60 days after starting operation, whichever is later;

2) If the monitored data shows that the unit is not in compliance with the applicable emissions concentration or emissions averaging plan, the owner or operator must report the deviation to the Agency in writing within 30 days and conduct a performance test pursuant to subsection (c) of this Section within 90 days of the determination of noncompliance; and

3) When, in the opinion of the Agency or USEPA, it is necessary to conduct testing to demonstrate compliance with Section 217.388, the owner or operator of a unit must, at his or her own expense, conduct the test in accordance with the applicable test methods and procedures specified in this Section within 90 days after receipt of a notice to test from the Agency or USEPA.

c) Testing Procedures:

1) For an engine: The owner or operator must conduct a performance test using Method 7 or 7E of 40 CFR 60, appendix A, as incorporated by reference in Section 217.104. Each compliance test must consist of three separate runs, each lasting a minimum of 60 minutes. NO_x emissions must be measured while the affected unit is operating at peak load. If the unit combusts more than one type of fuel (gaseous or liquid), including backup fuels, a separate performance test is required for each fuel.

2) For a turbine ~~included in an emissions averaging plan~~: The owner or operator must conduct a performance test using the applicable procedures and methods in 40 CFR 60.4400, as incorporated by reference in Section 217.104.

d) Monitoring: Except for those years in which a performance test is conducted pursuant to subsection (a) or (b) of this Section, the owner or operator of an affected unit or a unit included in an emissions averaging plan must monitor NO_x concentrations annually, once between January 1 and May 1 or within the first 876 hours of operation per calendar year, whichever is later. If annual operation is less than 876 hours per calendar year, each affected unit must be monitored at least once every five years. Monitoring must be performed as follows:

1) A portable NO_x monitor and~~utilizing~~ method ASTM D6522-00, as incorporated by reference in Section 217.104, or a method approved by

the Agency must be used. If the engine or turbine combusts both liquid and gaseous fuels as primary or backup fuels, separate monitoring is required for each fuel.

2) NO_x and O_2 concentrations measurements must be taken three times for a duration of at least 20 minutes. Monitoring must be done at highest achievable load. The concentrations from the three monitoring runs must be averaged to determine whether the affected unit is in compliance with the applicable emissions concentration or emissions averaging plan, as specified in Section 217.388.

e) Instead of complying with the requirements of subsections (a), (b), (c) and (d) of this Section, an owner or operator may install and operate a CEMS on an affected unit that meets the applicable requirements of 40 CFR 60, subpart A, and appendix B, incorporated by reference in Section 217.104, and complies with the quality assurance procedures specified in 40 CFR 60, appendix F, or 40 CFR 75, as incorporated by reference in Section 217.104, or an alternate procedure as approved by the Agency or USEPA in a federally enforceable permit. The CEMS must be used to demonstrate compliance with the applicable emissions concentration or emissions averaging plan only on an ozone season and annual basis.

f) The testing and monitoring requirements of this Section do not apply to affected units in compliance with the requirements of the low usage limitations pursuant to Section 217.388(c) or low usage units using NO_x allowances to comply with the requirements of this Subpart pursuant to Section 217.392(c). Notwithstanding these circumstances, when, in the opinion of the Agency or USEPA, it is necessary to conduct testing to demonstrate compliance with Section 217.388, the owner or operator of a unit must, at his or her own expense, conduct the test in accordance with the applicable test methods and procedures specified in this Section within 90 days after receipt of a notice to test from the Agency or USEPA.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 217.396 Recordkeeping and Reporting

a) Recordkeeping. The owner or operator of a unit included in an emissions averaging plan or an affected unit that is not exempt pursuant to Section 217.386(b) and is not subject to the low usage exemption of Section 217.388(c)~~of an Appendix G unit or a unit included in an emissions averaging plan~~ must maintain records that demonstrate compliance with the requirements of this Subpart Q, which include, but are not limited to:

1) Identification, type (e.g., lean-burn, gas-fired), and location of each unit.

2) Calendar date of the record.

3) The number of hours the unit operated on a monthly basis~~,~~ and during each ozone season.

4) Type and quantity of the fuel used on a daily basis.

5) The results of all monitoring performed on the unit and reported deviations.

6) The results of all tests performed on the unit.

7) The plan for performing inspection and maintenance of the units, air pollution control equipment, and the applicable monitoring device pursuant to Section 217.388(d)~~(e)~~.

8) A log of inspections and maintenance performed on the unit's air emissions, monitoring device, and air pollution control device. These records must include, at a minimum, date, load levels and any manual adjustments, along with the reason for the adjustment (e.g., air to fuel ratio, timing or other settings).

9) If complying with the emissions averaging plan provisions of Sections 217.388(b) and 217.390, copies of the calculations used to demonstrate compliance with the ozone season and annual control period limits, noncompliance reports for the ozone season, and ozone and annual control period compliance reports submitted to the Agency.

10) Identification of time periods for which operating conditions and pollutant data were not obtained by either the CEMS or alternate monitoring procedures, including the reasons for not obtaining sufficient data and a description of corrective actions taken.

11) Any No_x allowance reconciliation reports submitted pursuant to Section 217.392(c)(3).

b) The owner or operator of an affected unit or unit included in an emissions averaging plan must maintain the records required by subsection (a) or (d) of this Section, as applicable, for a period of five years at the source at which the unit is

located. The records must be made available to the Agency and USEPA upon request.

c) Reporting Requirements

1) The owner or operator must notify the Agency in writing 30 days and five days prior to testing, pursuant to Section 217.394(a) and (b) and:

A) If, after the 30-days notice for an initially scheduled test is sent, there is a delay (e.g., due to operational problems) in conducting the performance test as scheduled, the owner or operator of the unit must notify the Agency as soon as possible of the delay in the original test date, either by providing at least seven days prior notice of the rescheduled date of the performance test~~,~~ or by arranging a new test date with the Agency by mutual agreement;

B) Provide a testing protocol to the Agency 60 days prior to testing; and

C) Not later than 30 days after the completion of the test, submit the results of the test to the Agency.

2) Pursuant to the requirements for monitoring in Section 217.394(d), the owner or operator of the unit must report to the Agency any monitored exceedances of the applicable NO_x concentration from Section 217.388(a) or (b) within 30 days after performing the monitoring.

3) Within 90 days after permanently shutting down an affected unit or a unit included in an emissions averaging plan, the owner or operator of the unit must withdraw or amend the applicable permit to reflect that the unit is no longer in service.

4) If demonstrating compliance through an emissions averaging plan:

A) By October 31 following the applicable ozone season, the owner or operator must notify the Agency if he or she cannot demonstrate compliance for that ozone season; and

B) By January 31~~30~~ following the applicable calendar year, the owner or operator must submit to the Agency a report that demonstrates the following:

i) For all units that are part of the emissions averaging plan, the total mass of allowable NO_x emissions for the ozone season and for the annual control period;

ii) The total mass of actual NO_x emissions for the ozone season and annual control period for each unit included in the averaging plan;

iii) The calculations that demonstrate that the total mass of actual NO_x emissions are less than the total mass of allowable NO_x emissions using equations in Sections 217.390(f) and (g); and

iv) The information required to determine the total mass of actual NO_x emissions and the calculations performed in subsection (c~~d~~)(4)(B)(iii) of this Section.

5) If operating a CEMS, the owner or operator must submit an excess emissions and monitoring systems performance report in accordance with the requirements of 40 CFR 60.7(c) and 60.13~~,~~ or 40 CFR 75~~,~~ incorporated by reference in Section 217.104, or an alternate procedure approved by the Agency or USEPA and included in a federally enforceable permit.

6) If using NO_x allowances to comply with the requirements of Section 217.388, reconciliation reports as required by Section 217.392(c)(3).

d) The owner or operator of an affected unit that is complying with the low usage provisions of Section 217.388(c) must:

1) For each unit complying with Section 217.388(c)(1), maintain a record of the NO_x emissions for each calendar year;

2) For each unit complying with Section 217.388(c)(2), maintain a record of bhp or MW-hours operated each calendar year; and

3) For each unit utilizing NO_x allowances for compliance pursuant to Section 217.392(c)(3), maintain and submit any NO_x allowance reconciliation reports.

(Source: Amended at 33 Ill. Reg. _____, effective _____)