

**From:** [McGill, Richard](#)  
**To:** [Brown, Don](#)  
**Subject:** docket as PC in R21-18  
**Date:** Wednesday, December 2, 2020 2:53:48 PM

---

Good afternoon, Mr. Clerk:

Please docket this forwarded email exchange with JCAR as a public comment in R21-18.

Thank you.

Richard R. McGill, Jr.  
Illinois Pollution Control Board  
Senior Attorney for Research & Writing  
[richard.mcgill@illinois.gov](mailto:richard.mcgill@illinois.gov)  
(312) 814-6983

---

**From:** McGill, Richard  
**Sent:** Wednesday, December 2, 2020 2:47 PM  
**To:** Eastvold, Jonathan C. <JonathanE@ilga.gov>  
**Subject:** RE: R21-18

Good afternoon, Jonathan:

Our responses appear below in **red/bold font** following each of your corresponding inquiries.

In some of our responses, we note that we will follow up with IEPA at hearing, two of which are scheduled—one for December 10, 2020, and the other for January 7, 2021. We plan on posing our follow-up questions to IEPA in a hearing officer order to be issued tomorrow, December 3, 2020.

Thank you for your close review and please let me know if you have any other suggestions or questions.

Best regards,

Richard

Richard R. McGill, Jr.  
Illinois Pollution Control Board  
Senior Attorney for Research & Writing  
[richard.mcgill@illinois.gov](mailto:richard.mcgill@illinois.gov)

In our prepublication review of this rulemaking, we flagged a number of items we should bring to your attention (a combination of questions and suggestions). The line numbers are keyed to the First Notice version of the text, which should be sent to the Board at *Register* publication:

**Part 211:**

1. In this Part as a whole, several definitions are presented with every word capitalized and others (as in this rulemaking) are presented with only the first word capitalized. Is the latter PCB's preferred approach? If so, we'll watch for examples of the former in future rulemakings to help standardize.

**Yes, with obvious exceptions (e.g., Section 211.1010 "Clean Air Act"). Thank you—and we will likewise be on the lookout for definitions that are presented with every word unnecessarily capitalized. To that end, our quick review of the Part 211 definitions identified the following sections:**

<b>211.481</b>	<b>Ammunition Sealant</b>
<b>211.483</b>	<b>Antifouling Sealer/Tie Coat</b>
<b>211.750</b>	<b>British Thermal Unit</b>
<b>211.953</b>	<b>Carbon Adsorber</b>
<b>211.1000</b>	<b>Class II Finish</b>
<b>211.1312</b>	<b>Combined Cycle System</b>
<b>211.1316</b>	<b>Combustion Turbine</b>
<b>211.1745</b>	<b>Digital Printing</b>
<b>211.1878</b>	<b>Electrical Apparatus Component</b>
<b>211.1885</b>	<b>Electronic Component</b>
<b>211.1920</b>	<b>Emergency or Standby Unit</b>
<b>211.2358</b>	<b>Flat Wood Paneling</b>
<b>211.2359</b>	<b>Flat Wood Paneling Coating Line</b>
<b>211.2368</b>	<b>Flexible Packaging</b>
<b>211.2615</b>	<b>General Work Surface</b>
<b>211.2800</b>	<b>Hardwood Plywood</b>
<b>211.2840</b>	<b>Heatset Web Letterpress Printing Line</b>
<b>211.2965</b>	<b>High Precision Optic</b>
<b>211.3215</b>	<b>Janitorial Cleaning</b>
<b>211.3305</b>	<b>Letterpress Printing Line</b>
<b>211.3555</b>	<b>Maintenance Cleaning</b>
<b>211.3705</b>	<b>Medical Device</b>
<b>211.3707</b>	<b>Medical Device and Pharmaceutical Manufacturing</b>
<b>211.3985</b>	<b>Natural Finish Hardwood Plywood Panel</b>
<b>211.5065</b>	<b>Primary Product</b>
<b>211.5140</b>	<b>Printed Interior Panel</b>
<b>211.5335</b>	<b>Radiation Effect Coating</b>
<b>211.5535</b>	<b>Repair Cleaning</b>
<b>211.5860</b>	<b>Scientific Instrument</b>
<b>211.5875</b>	<b>Screen Printing</b>

**211.5880 Screen Printing on Paper**  
**211.5885 Screen Reclamation**  
**211.6535 Surface Preparation**  
**211.6857 Thin Particleboard**

2. In lines 763 and 764, change "250°F" to "250 °F".

**Agree.**

3. In line 895, change "93°C (200°F)" to "93 °C (200 °F)".

**Agree.**

4. In line 937, do you need the parenthetical phrase?

**We think the parenthetical phrase clarifies but we will ask IEPA at hearing whether it agrees with us. USEPA uses the same parenthetical phrase in the definition of "chemical milling maskant" at pages A-5 – A-6 of its 1997 control techniques guideline (CTG), *Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations*, EPA-453/R-97-004 (USEPA 1997 CTG).**

5. In line 958, change "and landing gear and doors" to "landing gear, and doors".

**Your change appears to clarify but we will confirm with IEPA at hearing that "landing" is not intended to modify "doors".**

6. In lines 966-967, would it be possible to add a cross-reference to the FAA fireworthiness requirements?

**USEPA 1997 CTG at page A-7 refers to these FAA requirements without cross-referencing them. We will ask IEPA at hearing whether it thinks a cross-reference to these FAA requirements should be added and, if so, to supply it.**

7. In line 1026, change "-275°F" to "-275 °F".

**Agree.**

8. In line 1066, change "150°F" to "150 °F".

**Agree.**

9. In line 1163, change "538°C" to "538 °C".

**Agree.**

10. In line 1164, change "1000°F" to "1000 °F".

**Agree.**

11. In lines 1163-1164, strike "538°C (1000°F)" and add "538 °C (1000 °F)".

**Agree.**

12. In line 1167, change "350°F" to "350 °F".

**Agree.**

**Part 219:**

1. I must ask if, in line 406 and throughout this Part, the Board would reconsider its replacement of "shall" with "must".

**Decline. We continue to believe that the term "must" is plainer language and more clearly conveys a mandatory obligation.**

2. In lines 865 and 872, strike "28° C (50° F)" and add "28 °C (50 °F)".

**Agree.**

3. After line 1151, change "20°C" to "20 °C" twice.

**Agree.**

4. In line 1472, strike "20°C (68°F)" and add "20 °C (68 °F)".

**Agree.**

5. In lines 1573 and 1576, strike "20°C (68°F)" and add "20 °C (68 °F)".

**Agree.**

6. In line 1862, strike "subsection(b)(3)" and add "subsection (b)(3)".

**Agree.**

7. In line 1865, strike "3°C or 5°F" and add "3 °C or 5 °F".

**Agree.**

8. In the table after line 2004, why are the lb/gal values in parentheses?

**The convention is used throughout the section to provide an additional distinction from corresponding metric values.**

9. In the table after line 2249, should the lb/gal value for (1)(H) be 5.5?

**No. Based on 40 CFR 63.747(c)(1), the limit in kg/l should be 0.622 (not 0.662), making the limit of 5.2 lb/gal correct.**

10. In the table after line 2252, change "V) Elecrostatic" to "V) Electrostatic" and "II) Metalized" to "II) Metallized".

**Agree.**

11. In the table after line 2252, a number of values differ from those specified in 40 CFR 63.745:

a. N) Commercial interior adhesive. Proposed limit is .750 (6.3), while federal limit is .760 (6.3).

i. What is the rationale for making this more restrictive than the federal standard?

**We will ask IEPA at hearing to explain the discrepancy.**

ii. If PCB intends to use .750 rather than .760, the lb/gal equivalent should be 6.2.

**See response to 11(a)(i).**

b. R) Cryogenic flexible primer. Proposed limit is .650. Federal limit is .645. This limit should be at least as stringent as the federal version.

**We will ask IEPA at hearing to explain the discrepancy.**

c. U) Dry lubricative material for aerospace applications, SS) Scale inhibitor and XX) Solid film lubricant: Proposed limit is .870. Federal limit is .880.

i. What is the rationale for making these limits more stringent than the federal standard?

**We will ask IEPA at hearing to explain the discrepancy.**

ii. The lb/gal equivalent should be 7.2.

**See response to 11(c)(i).**

d. DDD) Wet fastener installation coating. Proposed limit is .670. Federal limit is .675. Why the difference?

**We will ask IEPA at hearing to explain the discrepancy.**

12. In the table after line 2316, in the line beginning Di, strike “0.882kg” and add “0.882 kg”.

**Agree.**

13. In line 2473, after “Statement” could we add a cross-reference, i.e., “(51 Fed. Reg. 43814; December 4, 1986)”?

**We will ask IEPA at hearing whether it thinks a cross-reference should be added and, if so, whether this or another citation is appropriate.**

14. In line 2802, there is a reference to “subsection (f)(6)”, but subsection (f) only goes to (f)(4).

**We will ask IEPA at hearing to explain the discrepancy.**

15. Lines 3647-3653: What is the rationale for excluding these aerospace applications from subsection (e)? To my amateur mind, subsection (e) looks like a list of best practices. Should we not expect people applying coatings to space vehicles to minimize spills (see (e)(4))?

**We will pose your questions to IEPA at hearing.**

**In the meantime, please note USEPA 1997 CTG at page 5-2, which states that the guidance was developed for sources in specified nonattainment areas with a potential to emit greater than or equal to 25 tons per year of VOM. USEPA 1997 CTG at page B-1 also provides that its Model Rule does not apply to the categories listed in this proposed subsection (d), including space vehicles. And these categories are excluded from the VOM content limitations at proposed Section 219.204(r).**

16. In line 3743, change “20°C (68°F)” to “20 °C (68 °F)”.

**Agree.**

17. In line 3759, change “electronics” to “electronic” twice.

**Agree.**

---

**From:** Eastvold, Jonathan C. <[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)>

**Sent:** Thursday, October 29, 2020 11:40 AM

**To:** McGill, Richard <[Richard.McGill@illinois.gov](mailto:Richard.McGill@illinois.gov)>

**Subject:** [External] R21-18

Richard –

In our prepublication review of this rulemaking, we flagged a number of items we should bring to your attention (a combination of questions and suggestions). The line numbers are keyed to the First Notice version of the text, which should be sent to the Board at *Register* publication:

**Part 211:**

1. In this Part as a whole, several definitions are presented with every word capitalized and others (as in this rulemaking) are presented with only the first word capitalized. Is the latter PCB's preferred approach? If so, we'll watch for examples of the former in future rulemakings to help standardize.
2. In lines 763 and 764, change "250°F" to "250 °F".
3. In line 895, change "93°C (200°F)" to "93 °C (200 °F)".
4. In line 937, do you need the parenthetical phrase?
5. In line 958, change "and landing gear and doors" to "landing gear, and doors".
6. In lines 966-967, would it be possible to add a cross-reference to the FAA fireworthiness requirements?
7. In line 1026, change "-275°F" to "-275 °F".
8. In line 1066, change "150°F" to "150 °F".
9. In line 1163, change "538°C" to "538 °C".
10. In line 1164, change "1000°F" to "1000 °F".
11. In lines 1163-1164, strike "538°C (1000°F)" and add "538 °C (1000 °F)".
12. In line 1167, change "350°F" to "350 °F".

**Part 219:**

1. I must ask if, in line 406 and throughout this Part, the Board would reconsider its replacement of "shall" with "must".
2. In lines 865 and 872, strike "28° C (50° F)" and add "28 °C (50 °F)".
3. After line 1151, change "20°C" to "20 °C" twice.
4. In line 1472, strike "20°C (68°F)" and add "20 °C (68 °F)".
5. In lines 1573 and 1576, strike "20°C (68°F)" and add "20 °C (68 °F)".
6. In line 1862, strike "subsection(b)(3)" and add "subsection (b)(3)".
7. In line 1865, strike "3°C or 5°F" and add "3 °C or 5 °F".
8. In the table after line 2004, why are the lb/gal values in parentheses?
9. In the table after line 2249, should the lb/gal value for (1)(H) be 5.5?
10. In the table after line 2252, change "V) Electrostatic" to "V) Electrostatic" and "II) Metalized" to "II) Metallized".
11. In the table after line 2252, a number of values differ from those specified in 40 CFR 63.745:
  - a. N) Commercial interior adhesive. Proposed limit is .750 (6.3), while federal limit is .760 (6.3).
    - i. What is the rationale for making this more restrictive than the federal standard?
    - ii. If PCB intends to use .750 rather than .760, the lb/gal equivalent should

be 6.2.

- b. R) Cryogenic flexible primer. Proposed limit is .650. Federal limit is .645. This limit should be at least as stringent as the federal version.
  - c. U) Dry lubricative material for aerospace applications, SS) Scale inhibitor and XX) Solid film lubricant: Proposed limit is .870. Federal limit is .880.
    - i. What is the rationale for making these limits more stringent than the federal standard?
    - ii. The lb/gal equivalent should be 7.2.
  - d. DDD) Wet fastener installation coating. Proposed limit is .670. Federal limit is .675. Why the difference?
11. In the table after line 2316, in the line beginning Di, strike "0.882kg" and add "0.882 kg".
  12. In line 2473, after "Statement" could we add a cross-reference, i.e., "(51 Fed. Reg. 43814; December 4, 1986)"?
  13. In line 2802, there is a reference to "subsection (f)(6)", but subsection (f) only goes to (f)(4).
  14. Lines 3647-3653: What is the rationale for excluding these aerospace applications from subsection (e)? To my amateur mind, subsection (e) looks like a list of best practices. Should we not expect people applying coatings to space vehicles to minimize spills (see (e)(4))?
  15. In line 3743, change "20°C (68°F)" to "20 °C (68 °F)".
  16. In line 3759, change "electronics" to "electronic" twice.

Thanks in advance for your consideration.

Jonathan

Jonathan C. Eastvold, Ph.D.  
Rules Analyst III

Illinois General Assembly  
Joint Committee on Administrative Rules  
700 Stratton Building  
Springfield IL 62706

During the COVID-19 emergency, please call or text my mobile at 217-816-9481  
[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work

product privilege, or any other exemption from disclosure.