

ILLINOIS POLLUTION CONTROL BOARD  
December 3, 2020

IN THE MATTER OF: )  
)  
AMENDMENTS TO 35 ILL. ADM. CODE ) R21-18  
219, ORGANIC MATERIAL EMISSION ) (Rulemaking – Air)  
STANDARDS FOR THE METRO EAST )  
AREA, AND 35 ILL. ADM. CODE 211, )  
DEFINITIONS AND GENERAL )  
PROVISIONS )

**HEARING OFFICER ORDER**

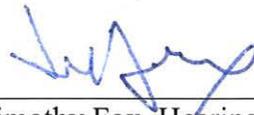
On October 5, 2020, the Illinois Environmental Protection Agency (IEPA) proposed regulations to control emission of volatile organic materials (VOM) at aerospace operations in the Metro East area. IEPA proposed to adopt these requirements by amending Parts 211 and 219 of the Board's air pollution regulations. Without commenting on its substantive merits, the Board on October 15, 2020, submitted the proposal to first-notice publication. *See* 44 Ill. Reg. 17146, 17190 (Oct. 30, 2020).

The hearing officer scheduled the first hearing on December 10, 2020, with a deadline of November 19, 2020, to file testimony. On November 18, 2020, IEPA filed the testimony of Mr. Rory Davis. To expedite the first hearing, the hearing officer order urged participants to pre-file questions no later than December 3, 2020.

The Board and its staff have reviewed IEPA's proposal and submit questions listed in the attachment to this order. While the questions are directed to IEPA, any participant may respond to the attached questions or submit a comment.

All filings in this proceeding will be available on the Board's website at [pcb.illinois.gov](http://pcb.illinois.gov) under this docket R21-18. Unless the Board, hearing officer, Clerk, or procedural rules provide otherwise, all documents in this proceeding must be filed electronically through the Clerk's Office On-Line (COOL). 35 Ill. Adm. Code 101.302(h), 101.1000(c), 101.Subpart J.

IT IS SO ORDERED.



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**Attachment to Hearing Officer Order of December 3, 2020**  
**R 21-18: Amendments to 35 Ill. Adm. Code Parts 211, 219 (Aerospace)**

**Part 211**

1. In PC 1, JCAR questioned whether Section 211.985, the proposed definition of “chemical milling maskant,” needs the parenthetical phrase “(i.e., bonding, critical use and line sealer, and seal coat)”.

The Board notes that USEPA’s December 1997 control techniques guideline (CTG) document, Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations (EPA-453/R-97-004), defines this term at pages A-5 – A-6 and includes this parenthetical phrase in the definition.

Would IEPA please comment on whether the definition should include this parenthetical phrase?

2. In PC 1, JCAR questioned whether Section 211.1326, the proposed definition of “commercial exterior aerodynamic structure primer,” should change “and landing gear and doors” to “landing gear, and doors.”

The Board notes that USEPA’s 1997 CTG document at page A-7 defines this term without the comma suggested by this comment.

Would IEPA please comment on whether the Board should propose this suggested revision for second-notice review? Specifically, does the definition refer to “gear and doors” for landing, or does it refer to “landing gear” and “doors” as separate items in this series of components and structures?

3. In PC 1, JCAR questioned whether Section 211.1327, the proposed definition of “commercial interior adhesive,” could provide a cross-reference to the Federal Aviation Administration fireworthiness requirements.

Would IEPA please comment on whether this definition should include a cross-reference to the requirements? If so, would IEPA please provide a specific citation to those requirements?

**Part 219**

4. In PC 1, JCAR noted that the proposed VOM content limit in Section 219.204(r)(2)(N) for commercial interior adhesives is 0.750 kg/L (6.3 lb/gal) when the federal limit is 0.760 kg/L.

Would IEPA please comment on why this proposed standard is more restrictive than the federal standard? If IEPA supports a limit of 0.750 kg/L, please confirm the equivalent limit in lb/gal.

5. In PC 1, JCAR noted that the proposed VOM content limit in Section 219.204(r)(2)(R) for cryogenic flexible primer is 0.650 kg/L (5.4 lb/gal) when the federal limit is 0.645 kg/L.

Would IEPA please comment on why this proposed standard is less restrictive than the federal standard? If IEPA supports a limit other than 0.650 kg/L, please confirm the equivalent in lb/gal.

6. In PC 1, JCAR notes that the proposed VOM content limit in Section 219.204(r)(2)(U) for dry lubricative material for aerospace applications is 0.870 kg/L (7.3 lb/gal) when the federal limit is 0.880 kg/L.

Would IEPA please comment on why this proposed standard is more restrictive than the federal standard? If IEPA supports a limit other than 0.870 kg/L, please confirm the equivalent in lb/gal.

7. In PC 1, JCAR notes that the proposed VOM content limit in Section 219.204(r)(2)(SS) for scale inhibitor is 0.870 kg/L (7.3 lb/gal) when the federal limit is 0.880 kg/L.

Would IEPA please comment on why this proposed standard is more restrictive than the federal standard? If IEPA supports a limit other than 0.870 kg/L, please confirm the equivalent in lb/gal.

8. In PC 1, JCAR notes that the proposed VOM content limit in Section 219.204(r)(2)(XX) for solid film lubricant is 0.870 kg/L (7.3 lb/gal) when the federal limit is 0.880 kg/L.

Would IEPA please comment on why this proposed standard is more restrictive than the federal standard? If IEPA supports a limit other than 0.870 kg/L, please confirm the equivalent in lb/gal.

9. In PC 1, JCAR notes that the proposed VOM content limit in Section 219.204(r)(2)(DDD) for wet fastener installation coating is 0.670 kg/L (5.6 lb/gal), when the federal limit is 0.675 kg/L.

Would IEPA please comment on why this proposed standard is more restrictive than the federal standard? If IEPA supports a limit other than 0.670 kg/L, please confirm the equivalent in lb/gal.

10. In PC 1, JCAR questioned whether the reference in proposed Section 219.205(k)(2) to "USEPA's Emissions Trading Policy Statement" could include a citation, and JCAR proposed "51 Fed. Reg. 43814; December 4, 1986".

Would IEPA please comment on whether the Board should include a citation to this statement in its second-notice proposal and, if so, whether this or another citation is correct?

11. Proposed Section 219.208(f)(1) refers to a subsection (f)(6), although subsection (f) includes only four subsections.

Would IEPA please clarify this cross-reference?

12. In PC 1, JCAR questions the reason that proposed Section 219.219(d) excludes from the work practice standards in subsections (e) and (g) various “activities where cleaning of aerospace components may take place.” Among these activities are research and development, laboratory testing, and operations involving space vehicles. Subsection (d) also provides that subsection (e) and (g) do not apply to “aerospace facility operations involving space vehicles or rework operations performed on antique aerospace vehicles or components.”

The Board notes that these categories are excluded from VOM content limitations proposed in Section 219.204(r). The Board also notes that the CTG document includes a Model Rule. The CTG document’s model applicability provision at page B-1 provides similar exclusions.

Would IEPA comment on the basis for excluding the activities listed in proposed Section 219.219(d) from the requirements in subsections (e) and (g)?

### **CTG**

13. UESPA issued the Aerospace CTG document in December 1997. Is IEPA aware of any updates or reviews of that document? If IEPA is not aware of those, does it expect any updates or reviews in the future?

### **TSD**

14. At page 7 in Section 5.1.1, the TSD addresses the use of specialty coatings. It cites the CTG document that specialty coatings have relatively low use and that lower-VOM formulations of them are not generally available. Is IEPA aware of whether the use of specialty coatings by potentially affected sources is consistent with the CTG document?
15. At page 8 in Section 5.1.2.2, the TSD refers to comments regarding a 2015 review of the aerospace NESHAP. Can IEPA provide a copy of those comments for the record? Did this review include any review of the aerospace CTG? If so, can IEPA provide a copy for the record?
16. At page 9 of the TSD at Section 5.2, the TSD states that add-on controls may not be cost-effective for smaller sources. Would IEPA comment how it would classify sources as smaller or larger and indicate whether it considers the potentially affected sources to be large or small for the purpose of this cost-effectiveness?

17. At page 9 of the TSD at Section 6.0, IEPA states that “coatings applied to the exterior of airplanes are exempt from the miscellaneous metals parts and products limit.” Would IEPA please cite the specific source of this exemption?
18. At page 9 of the TSD at Section 7.0, IEPA refers to reviewing other states’ regulations in drafting its proposal. Would IEPA comment on which states’ regulations it reviewed and how those regulations compare with its proposal?
19. At page 12 of the TSD at Section 7.2, IEPA states that it proposes the CTG document’s RACT-level control for coating application processes using one or more of nine listed techniques, two of which are HVLP spraying and electrostatic spray. It also allows “any other coating spray application methods that achieve a transfer efficiency equivalent to HVLP or electrostatic spray application techniques.” Would IEPA comment on why these two techniques are the standard for an alternative? Also, please comment on why the proposed rules would not allow the use of alternative non-spray coating application methods.

