

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE

To: Illinois Pollution Control Board
Don Brown, Clerk
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the MOTION TO AMEND RULEMAKING, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Charles E. Matoesian
Charles E. Matoesian
Assistant Counsel

DATED: December 9, 2020

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

MOTION TO AMEND RULEMAKING

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by its attorneys, and pursuant to 35 Ill. Adm. Code 101.500 and 102.402, moves that the Illinois Pollution Control Board ("Board") amend proposed new subsections (f)(1) and (f)(4) to Section 219.208 of Subpart F. In support of its Motion, the Illinois EPA states as follows:

On October 5, 2020, the Illinois EPA filed a proposal with the Board to amend 35 Ill. Adm. Code Part 211, Definitions and General Provisions, and 35 Ill. Adm. Code Part 219, Organic Material Emission Standards for the Metro East Area, that would be applicable to emissions of volatile organic material ("VOM") at aerospace manufacturing and rework operations located in the counties of Madison, Monroe, and St. Clair ("Metro-East area"). The Agency's proposal is in response to information indicating that an aerospace facility intends to expand its operations in the Metro-East area and is intended to ensure that limitations specific to aerospace operations are in place when such expansion occurs.

The Agency recently became aware of two issues in proposed subsection (f) to Section 219.208. First, in subsection (f)(1), there is a reference to subsection (f)(6), which does not exist.

The proper reference should be to subsection (f)(4). Subsection (f)(1) to Section 219.208 should therefore be amended as follows:

- 1) Except as provided in subsection ~~(f)(4)(f)(6)~~, the requirements of this Subpart shall apply to an aerospace facility's aerospace coating operations and cleaning operations on and after January 1, 2021, if the source contains process emission units, which as a group have a potential to emit 22.7 Mg (25 tons) or more of VOM per calendar year and have not limited emissions to less than 22.7 Mg (25 tons) of VOM per calendar year through production or capacity limitations contained in a federally enforceable permit or SIP revision.

The second issue concerns a reference to "operating permit" in the applicability language in proposed subsection (f)(4) to Section 219.208. To keep subsection (f)(4) consistent with subsection (f)(1) and to accurately reflect the Agency's intent, the term "operating" must be removed. Thus, subsection (f)(4) to Section 219.208 should be amended as follows:

- 4) The requirements in Section 219.211(k) shall apply to an aerospace facility's aerospace coating operations and cleaning operations on and after January 1, 2021, if the source contains process emission units, which as a group, have a potential to emit less than 22.7 Mg (25 tons) of VOM per calendar year or have limited emissions to less than 22.7 Mg (25 tons) of VOM per calendar year through production or capacity limitations contained in a federally enforceable ~~operating~~-permit or SIP revision.

WHEREFORE, for the reasons set forth above, the Illinois EPA moves that the Board amend proposed new subsections (f)(1) and (f)(4) to Section 219.208 of Subpart F as set forth herein.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Charles E. Matoesian
Charles E. Matoesian
Assistant Counsel

DATED: December 9, 2020

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

CERTIFICATE OF E-MAIL SERVICE

I, the undersigned, on affirmation, state the following:

That I have served the attached Motion to Amend Rulemaking by e-mail upon:

Tim Fox, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St., Suite 11-500
Chicago, IL 60601-3218
Tim.Fox@illinois.gov

Division of Environmental Enforcement
Office of the Attorney General
69 West Washington Street
Suite 1800
Chicago, IL 60602
enviro@atg.state.il.us

Virginia I. Yang
Deputy Counsel
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271
virginia.yang@illinois.gov

Renee Snow
General Counsel
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271
renee.snow@illinois.gov

Mark Ferguson - EHS Manager
West Star Aviation
2 Airline Ct.
East Alton, IL 62024
mferguson@wsa.aero

Jonathan C. Eastvold
JCAR
Wm. G. Stratton Office Building
Room 700
Springfield, IL 62706-4700
jonathanE@ilga.gov

David Allen
Jet Aviation
6400 Curtis Steinberg Dr,
Cahokia, IL 62206,
david.allen@jetaviation.com

John Frederick - Government Operations
The Boeing Company
6300 James S McDonnell Blvd
MC S100-1269
Berkeley, MO 63134
john.t.frederick@boeing.com

Alec Davis

Illinois Environmental Regulatory Group
215 East Adams Street
Springfield, IL 62701
adavis@ierg.org

Melissa S. Brown
HeplerBroom, LLC
4340 Acer Grove Drive
Springfield, Illinois 62711
Melissa.Brown@heplerbroom.com

That my e-mail address is charles.matoesian@illinois.gov.

That the number of pages in this e-mail transmission is 6.

That the e-mail transmission took place before 5:00 p.m. on the date of December 9, 2020.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Charles E. Matoesian
Charles E. Matoesian
Assistant Counsel

DATED: December 9, 2020

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544